

**VILLAGE OF SOUTH BLOOMING GROVE**  
**BOARD OF TRUSTEES**  
**MONDAY**  
**MAY 6, 2024**  
**8:00 P.M.**

**Regular Meeting**

**AGENDA**

- 1. Call to order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Mayor Comments**
- 5. Correspondence:**
  - 58 Fort Worth Place – House of Worship Application
- 6. Public Comment**
- 7. Resolutions**
  - *Resolution 22 of the Village Board of the Village of South Blooming Grove declaring intent to be lead agency for sanitary sewer system rehabilitation.*
  - *Resolution 23 of the Village Board of the Village of South Blooming Grove authorizing the Mayor to sign all documents and the Village Engineer to prepare all necessary reports, plans, etc. as the Project Engineer for the Sanitary sewer system rehabilitation.*
  - *Resolution 24 of the Village Board of the Village of South Blooming Grove awarding the DPW Service Bid to Cioffi, Inc.*
  - *Resolution 25 of the Village Board of the Village of South Blooming Grove requesting the enactment of Assembly Bill A9285 entitled Hotel and Motel tax for the Village of South Blooming Grove.*
  - *Resolution 26 of the Village Board of the Village of South Blooming Grove requesting the enactment of Senate Bill 1202-jj entitled Hotel and Motel tax for the Village of South Blooming Grove.*
- 8. Abstract**
- 9. Discussion**
  - New development funds – water, sewer, streets, sidewalks and street lighting.
- 10. Trustee Comments**
- 11. Executive/Attorney Client Session**
- 12. Motion to Close**

**VILLAGE OF SOUTH BLOOMING GROVE  
RESOLUTION 22 OF 2024 TO  
ESTABLISH LEAD AGENCY  
SANITARY SEWER SYSTEM REHABILITATION**

WHEREAS, the Village of South Blooming Grove, New York Village Board is preparing a grant project for rehabilitation of the sewage system to include the entire Village of South Blooming Grove and replace sanitary lines, construct a sewage treatment plant, 3 pump stations, force lines, collection system and repair or replace existing sanitary lines; and

WHEREAS, the Village of South Blooming Grove is intending to submit for a WIIA grant and NYSEFC Clean Water Revolving loan; and

WHEREAS, the Village Engineer has prepared a Full Environmental Assessment Form (FEAF) for the Village Board; and

WHEREAS, the Village Board wishes to comply with 6NYCRR Part 617 State Environmental Quality Review Act (SEQRA); and

WHEREAS, the project is the rehabilitation of the sewage system. This project falls under the SEQRA regulations 617 as a Type 1 action; and

BE IT RESOLVED that the Village Board of the Village of South Blooming Grove hereby issues an Intent to be Lead Agency for this project and authorizes the distribution to Involved and Interested parties as per the enclosed list.

FURTHERMORE, the Village Board of the Village of South Blooming Grove authorizes the Mayor to sign all documents and the Village Engineer to prepare all necessary reports, plans, etc. as the Project Engineer.

On a motion by Member \_\_\_\_\_, seconded by Member \_\_\_\_\_

The foregoing resolution was adopted on a vote of \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays.

Dated: May 6, 2024  
Village of South Blooming Grove  
Orange County, NY

\_\_\_\_\_  
George Kalaj, Mayor  
Village of South Blooming Grove

**For Further Information Contact:**

Village Clerk  
Village of South Blooming Grove  
811 State Route 208  
Blooming Grove, New York 10914

**VILLAGE OF SOUTH BLOOMING GROVE  
RESOLUTION 23 OF 2024 FOR  
SANITARY SEWER SYSTEM REHABILITATION**

WHEREAS, the Village of South Blooming Grove desires to have the entire Village have a sanitary sewer system rehabilitation; and

WHEREAS, the Village of South Blooming Grove desires to have the existing sewer district expanded to include the entire Village as most Villages in New York State; and

WHEREAS, the Village of South Blooming Grove wish to submit for a WIIA grant and NYSEFC Clean Water Revolving Loan and

WHEREAS, the Village requires the Village Engineer to prepare planning, design and construction period services for this project; and

WHEREAS, a Bond Resolution is required for the project with municipal consultants; and

WHEREAS, the Village of South Blooming Grove will require the Mayor to sign documents for the above; and

BE IT RESOLVED that the Village Board of the Village of South Blooming Grove authorizes the Mayor as follows:

1. Sign contracts with Bond Counsel and municipal consultant.
2. Sign contracts with Attorney to have sewer district be coterminous with the Village boundary.
3. Sign application and all paperwork for the WIIA grant application and the NYSEFC Clean Water Revolving Act Loan.
4. Award and sign contract to Fusco Engineering and Land Surveying, D.P.C. to prepare grant/loan applications, prepare planning, design and construction period services in his duties as Village Engineer.
5. Sign any and all paperwork required for this project, including but not limited to, easement, acquisition, etc.

On a motion by Member \_\_\_\_\_, seconded by Member \_\_\_\_\_

The foregoing resolution was adopted on a vote of \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays.

Dated: May 6, 2024  
Village of South Blooming Grove  
Orange County, NY

\_\_\_\_\_  
George Kalaj, Mayor  
Village of South Blooming Grove

**For Further Information Contact:**  
Village Clerk  
Village of South Blooming Grove  
811 State Route 208  
Blooming Grove, New York 10914

**RESOLUTION  
DPW SERVICE  
BID**

WHEREAS, the Village of South Blooming Grove held a bid for DPW Services for the Village of South Blooming Grove on April 8, 2024; and

WHEREAS, there were 2 bidders; and

WHEREAS, there was a technicality in one of the bidders which the Village Board does hereby waive; and

BE IT RESOLVED, that the Village Board of the Village of South Blooming Grove hereby approves the bid of Cioffi, Inc. in the amount of \$62,500/month.

FURTHERMORE, the Village Board can extend the bid yearly as they wish.

On a motion by Member \_\_\_\_\_, seconded by Member \_\_\_\_\_

The foregoing resolution was adopted on a vote of \_\_\_\_\_ Ayes, \_\_\_\_\_ Nays.

April 12, 2024

\_\_\_\_\_  
George Kalaj, Mayor  
Village of South Blooming Grove

Resolution No.: \_\_\_\_ of 2024

**THE VILLAGE OF SOUTH BLOOMING GROVE  
VILLAGE BOARD**

Names	Roll Call Vote			
	Ayes	Noes	Abstain	Absent
<i>Mayor</i> <b>Mr. George Kalaj</b>				
<i>Trustee</i> <b>Mr. Abraham Weiss</b>				
<i>Trustee</i> <b>Mr. Yitzchok Feldman</b>				
<i>Trustee</i> <b>Mr. Asher Guttman</b>				
<i>Trustee</i> <b>Mr. Zalmon Rosner</b>				
<b>TOTAL</b>				

The following was presented

By \_\_\_\_\_

Seconded by \_\_\_\_\_

Date of Adoption May 6, 2024

**RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF SOUTH  
BLOOMING GROVE REQUESTING THE ENACTMENT OF ASSEMBLY BILL A9285  
ENTITLED HOTEL AND MOTEL TAX FOR THE  
VILLAGE OF SOUTH BLOOMING GROVE**

**WHEREAS**, there is a necessity for the Village to enact a hotel and motel tax and that the Village Board does not have the power to enact such legislation by local law; and

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, that the Village Board is requesting the enactment of Assembly Bill entitled Hotel and Motel Tax for the Village of South Blooming Grove.

**BY ORDER OF THE VILLAGE BOARD OF THE  
VILLAGE OF SOUTH BLOOMING GROVE, NEW YORK.**

DATED: March 11, 2024

# STATE OF NEW YORK

9285

## IN ASSEMBLY

February 23, 2024

Introduced by M. of A. MAHER -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to the imposition of a hotel and motel tax in the village of South Blooming Grove; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The tax law is amended by adding a new section 1202-jj to  
2 read as follows:

3 § 1202-jj. Hotel or motel taxes in the village of South Blooming  
4 Grove. (1) Notwithstanding any other provisions of law to the contrary,  
5 the village of South Blooming Grove, in the county of Orange, is hereby  
6 authorized and empowered to adopt and amend local laws imposing in such  
7 village a tax, in addition to any other tax authorized and imposed  
8 pursuant to this article such as the legislature has or would have the  
9 power and authority to impose upon persons occupying hotel or motel  
10 rooms in such village. For the purposes of this section, the term  
11 "hotel" or "motel" shall mean and include any facility consisting of  
12 rentable units and providing lodging on an overnight basis and shall  
13 include those facilities designated and commonly known as "bed and  
14 breakfast" and "tourist" facilities. The rates of such tax shall not  
15 exceed five percent of the per diem rental rate for each room, provided  
16 however, that such tax shall not be applicable to a permanent resident  
17 of a hotel or motel. For the purposes of this section the term "perma-  
18 nent resident" shall mean a person occupying any room or rooms in a  
19 hotel or motel for at least ninety consecutive days.

20 (2) Such tax may be collected and administered by the chief fiscal  
21 officer of the village of South Blooming Grove by such means and in such  
22 manner as other taxes which are now collected and administered by such  
23 officer or as otherwise may be provided by such local law.

24 (3) Such local laws may provide that any tax imposed shall be paid by  
25 the person liable therefor to the owner of the hotel or motel room occu-  
26 pied or to the person entitled to be paid the rent or charge for the  
27 hotel or motel room occupied for and on account of the village of South

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD13211-02-4

1 Blooming Grove imposing the tax and that such owner or person entitled  
2 to be paid the rent or charge shall be liable for the collection and  
3 payment of the tax; and that such owner or person entitled to be paid  
4 the rent or charge shall have the same right in respect to collecting  
5 the tax from the person occupying the hotel or motel room, or in respect  
6 to nonpayment of the tax by the person occupying the hotel or motel  
7 room, as if the tax were a part of the rent or charge and payable at the  
8 same time as the rent or charge; provided, however, that the chief  
9 fiscal officer of the village, specified in such local law, shall be  
10 joined as a party in any action or proceeding brought to collect the tax  
11 by the owner or by the person entitled to be paid the rent or charge.

12 (4) Such local laws may provide for the filing of returns and the  
13 payment of the tax on a monthly basis or on the basis of any longer or  
14 shorter period of time.

15 (5) This section shall not authorize the imposition of such tax upon  
16 any transaction, by or with any of the following in accordance with  
17 section twelve hundred thirty of this article:

18 a. The state of New York, or any public corporation (including a  
19 public corporation created pursuant to agreement or compact with another  
20 state or the Dominion of Canada), improvement district or other poli-  
21 tical subdivision of the state;

22 b. The United States of America, insofar as it is immune from taxa-  
23 tion;

24 c. Any corporation or association, or trust, or community chest, fund  
25 or foundation organized and operated exclusively for religious, charita-  
26 ble or educational purposes, or for the prevention of cruelty to chil-  
27 dren or animals, and no part of the net earnings of which inures to the  
28 benefit of any private shareholder or individual and no substantial part  
29 of the activities of which is carrying on propaganda, or otherwise  
30 attempting to influence legislation; provided, however, that nothing in  
31 this paragraph shall include an organization operated for the primary  
32 purpose of carrying on a trade or business for profit, whether or not  
33 all of its profits are payable to one or more organizations described in  
34 this paragraph.

35 (6) Any final determination of the amount of any tax payable hereunder  
36 shall be reviewable for error, illegality or unconstitutionality or any  
37 other reason whatsoever by a proceeding under article seventy-eight of  
38 the civil practice law and rules if application therefor is made to the  
39 supreme court within thirty days after the giving of the notice of such  
40 final determination, provided, however, that any such proceeding under  
41 article seventy-eight of the civil practice law and rules shall not be  
42 instituted unless:

43 a. The amount of any tax sought to be reviewed, with such interest and  
44 penalties thereon as may be provided for by local law shall be first  
45 deposited and there is filed an undertaking, issued by a surety company  
46 authorized to transact business in this state and approved by the super-  
47 intendent of insurance of this state as to solvency and responsibility,  
48 in such amount as a justice of the supreme court shall approve to the  
49 effect that if such proceeding be dismissed or the tax confirmed the  
50 petitioner will pay all costs and charges which may accrue in the prose-  
51 cution of such proceeding; or

52 b. At the option of the petitioner such undertaking may be in a sum  
53 sufficient to cover the taxes, interests and penalties stated in such  
54 determination plus the costs and charges which may accrue against it in  
55 the prosecution of the proceeding, in which event the petitioner shall

1 not be required to pay such taxes, interest or penalties as a condition  
2 precedent to the application.

3 (7) Where any tax imposed hereunder shall have been erroneously, ille-  
4 gally or unconstitutionally collected and application for the refund  
5 thereof duly made to the proper fiscal officer or officers, and such  
6 officer or officers shall have made a determination denying such refund,  
7 such determination shall be reviewable by a proceeding under article  
8 seventy-eight of the civil practice law and rules, provided, however,  
9 that such proceeding is instituted within thirty days after the giving  
10 of the notice of such denial, that a final determination of tax due was  
11 not previously made, and that an undertaking is filed with the proper  
12 fiscal officer or officers in such amount and with such sureties as a  
13 justice of the supreme court shall approve to the effect that if such  
14 proceeding be dismissed or the tax confirmed, the petitioner will pay  
15 all costs and charges which may accrue in the prosecution of such  
16 proceeding.

17 (8) Except in the case of a wilfully false or fraudulent return with  
18 intent to evade the tax, no assessment of additional tax shall be made  
19 after the expiration of more than three years from the date of the  
20 filing of a return, provided, however, that where no return has been  
21 filed as provided by law the tax may be assessed at any time.

22 (9) All revenues resulting from the imposition of the tax under the  
23 local laws shall be paid into the treasury of the village of South  
24 Blooming Grove and shall be credited to and deposited in the general  
25 fund of the village. Such revenues may be used for any lawful purpose.

26 (10) If any provision of this section or the application thereof to  
27 any person or circumstance shall be held invalid, the remainder of this  
28 section and the application of such provision to other persons or  
29 circumstances shall not be affected thereby.

30 § 2. This act shall take effect immediately and shall expire and be  
31 deemed repealed 3 years after such date.

Resolution No.: \_\_\_\_ of 2024

**THE VILLAGE OF SOUTH BLOOMING GROVE  
VILLAGE BOARD**

Names	Roll Call Vote			
	Ayes	Noes	Abstain	Absent
<i>Mayor</i> <b>Mr. George Kalaj</b>				
<i>Trustee</i> <b>Mr. Abraham Weiss</b>				
<i>Trustee</i> <b>Mr. Yitzchok Feldman</b>				
<i>Trustee</i> <b>Mr. Asher Guttman</b>				
<i>Trustee</i> <b>Mr. Zalmon Rosner</b>				
<b>TOTAL</b>				

The following was presented

By \_\_\_\_\_

Seconded by \_\_\_\_\_

Date of Adoption May 6, 2024

**RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF SOUTH  
BLOOMING GROVE REQUESTING THE ENACTMENT OF SENATE BILL 1202-jj  
ENTITLED HOTEL AND MOTEL TAX FOR THE  
VILLAGE OF SOUTH BLOOMING GROVE**

**WHEREAS**, there is a necessity for the Village to enact a hotel and motel tax and that the Village Board does not have the power to enact such legislation by local law; and

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, that the Village Board is requesting the enactment of Senate Bill entitled Hotel and Motel Tax for the Village of South Blooming Grove.

**BY ORDER OF THE VILLAGE BOARD OF THE  
VILLAGE OF SOUTH BLOOMING GROVE, NEW YORK.**

DATED: March 11, 2024

# STATE OF NEW YORK

8162

## IN SENATE

January 10, 2024

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law, in relation to the imposition of a hotel and motel tax in the village of South Blooming Grove; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The tax law is amended by adding a new section 1202-jj to  
2 read as follows:

3 § 1202-jj. Hotel or motel taxes in the village of South Blooming  
4 Grove. (1) Notwithstanding any other provisions of law to the contrary,  
5 the village of South Blooming Grove, in the county of Orange, is hereby  
6 authorized and empowered to adopt and amend local laws imposing in such  
7 village a tax, in addition to any other tax authorized and imposed  
8 pursuant to this article such as the legislature has or would have the  
9 power and authority to impose upon persons occupying hotel or motel  
10 rooms in such village. For the purposes of this section, the term  
11 "hotel" or "motel" shall mean and include any facility consisting of  
12 rentable units and providing lodging on an overnight basis and shall  
13 include those facilities designated and commonly known as "bed and  
14 breakfast" and "tourist" facilities. The rates of such tax shall not  
15 exceed five percent of the per diem rental rate for each room, provided  
16 however, that such tax shall not be applicable to a permanent resident  
17 of a hotel or motel. For the purposes of this section the term "perma-  
18 nent resident" shall mean a person occupying any room or rooms in a  
19 hotel or motel for at least ninety consecutive days.

20 (2) Such tax may be collected and administered by the chief fiscal  
21 officer of the village of South Blooming Grove by such means and in such  
22 manner as other taxes which are now collected and administered by such  
23 officer or as otherwise may be provided by such local law.

24 (3) Such local laws may provide that any tax imposed shall be paid by  
25 the person liable therefor to the owner of the hotel or motel room occu-  
26 pied or to the person entitled to be paid the rent or charge for the

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD13211-02-4

1 hotel or motel room occupied for and on account of the village of South  
2 Blooming Grove imposing the tax and that such owner or person entitled  
3 to be paid the rent or charge shall be liable for the collection and  
4 payment of the tax; and that such owner or person entitled to be paid  
5 the rent or charge shall have the same right in respect to collecting  
6 the tax from the person occupying the hotel or motel room, or in respect  
7 to nonpayment of the tax by the person occupying the hotel or motel  
8 room, as if the tax were a part of the rent or charge and payable at the  
9 same time as the rent or charge; provided, however, that the chief  
10 fiscal officer of the village, specified in such local law, shall be  
11 joined as a party in any action or proceeding brought to collect the tax  
12 by the owner or by the person entitled to be paid the rent or charge.

13 (4) Such local laws may provide for the filing of returns and the  
14 payment of the tax on a monthly basis or on the basis of any longer or  
15 shorter period of time.

16 (5) This section shall not authorize the imposition of such tax upon  
17 any transaction, by or with any of the following in accordance with  
18 section twelve hundred thirty of this article:

19 a. The state of New York, or any public corporation (including a  
20 public corporation created pursuant to agreement or compact with another  
21 state or the Dominion of Canada), improvement district or other poli-  
22 tical subdivision of the state;

23 b. The United States of America, insofar as it is immune from taxa-  
24 tion;

25 c. Any corporation or association, or trust, or community chest, fund  
26 or foundation organized and operated exclusively for religious, charita-  
27 ble or educational purposes, or for the prevention of cruelty to chil-  
28 dren or animals, and no part of the net earnings of which inures to the  
29 benefit of any private shareholder or individual and no substantial part  
30 of the activities of which is carrying on propaganda, or otherwise  
31 attempting to influence legislation; provided, however, that nothing in  
32 this paragraph shall include an organization operated for the primary  
33 purpose of carrying on a trade or business for profit, whether or not  
34 all of its profits are payable to one or more organizations described in  
35 this paragraph.

36 (6) Any final determination of the amount of any tax payable hereunder  
37 shall be reviewable for error, illegality or unconstitutionality or any  
38 other reason whatsoever by a proceeding under article seventy-eight of  
39 the civil practice law and rules if application therefor is made to the  
40 supreme court within thirty days after the giving of the notice of such  
41 final determination, provided, however, that any such proceeding under  
42 article seventy-eight of the civil practice law and rules shall not be  
43 instituted unless:

44 a. The amount of any tax sought to be reviewed, with such interest and  
45 penalties thereon as may be provided for by local law shall be first  
46 deposited and there is filed an undertaking, issued by a surety company  
47 authorized to transact business in this state and approved by the super-  
48 intendent of insurance of this state as to solvency and responsibility,  
49 in such amount as a justice of the supreme court shall approve to the  
50 effect that if such proceeding be dismissed or the tax confirmed the  
51 petitioner will pay all costs and charges which may accrue in the prose-  
52 cution of such proceeding; or

53 b. At the option of the petitioner such undertaking may be in a sum  
54 sufficient to cover the taxes, interests and penalties stated in such  
55 determination plus the costs and charges which may accrue against it in  
56 the prosecution of the proceeding, in which event the petitioner shall

1 not be required to pay such taxes, interest or penalties as a condition  
2 precedent to the application.

3 (7) Where any tax imposed hereunder shall have been erroneously, ille-  
4 gally or unconstitutionally collected and application for the refund  
5 thereof duly made to the proper fiscal officer or officers, and such  
6 officer or officers shall have made a determination denying such refund,  
7 such determination shall be reviewable by a proceeding under article  
8 seventy-eight of the civil practice law and rules, provided, however,  
9 that such proceeding is instituted within thirty days after the giving  
10 of the notice of such denial, that a final determination of tax due was  
11 not previously made, and that an undertaking is filed with the proper  
12 fiscal officer or officers in such amount and with such sureties as a  
13 justice of the supreme court shall approve to the effect that if such  
14 proceeding be dismissed or the tax confirmed, the petitioner will pay  
15 all costs and charges which may accrue in the prosecution of such  
16 proceeding.

17 (8) Except in the case of a wilfully false or fraudulent return with  
18 intent to evade the tax, no assessment of additional tax shall be made  
19 after the expiration of more than three years from the date of the  
20 filing of a return, provided, however, that where no return has been  
21 filed as provided by law the tax may be assessed at any time.

22 (9) All revenues resulting from the imposition of the tax under the  
23 local laws shall be paid into the treasury of the village of South  
24 Blooming Grove and shall be credited to and deposited in the general  
25 fund of the village. Such revenues may be used for any lawful purpose.

26 (10) If any provision of this section or the application thereof to  
27 any person or circumstance shall be held invalid, the remainder of this  
28 section and the application of such provision to other persons or  
29 circumstances shall not be affected thereby.

30 § 2. This act shall take effect immediately and shall expire and be  
31 deemed repealed 3 years after such date.