

**VILLAGE OF SOUTH BLOOMING
GROVE
REGULAR MEETING
Monday
June 14, 2021
7:00 P.M.**

➤ **Call to order**

- Mayor Kalaj called to order the Village Board Meeting at 7:27 p.m. on June 14, 2021 via Zoom Webinar 91358324505 for the South Blooming Grove located at 811 State Route 208, within the Village of South Blooming Grove, and having a mailing address of Monroe, New York.

➤ **Roll call**

The following persons were present:

- George Kalaj- Mayor
- Abraham Weiss – Deputy Mayor
- Asher Guttman – Trustee
- Yitzchok Feldman – Trustee
- Zalmon Rosner – Trustee
- Scott B. Ugell, Esq. – Village Attorney
- Kerry Dougherty – Village Clerk

➤ **Mayor's Comments:**

- The water filtration was placed online on May 28, 2021. Orange County and NYS gave us the green light on the 27th of May, but since we had a watermain break on Lake Shore Drive, we lost a lot of water, we didn't have enough water and had to wait one day for the tanks to be filled in order to get the filtration online. The water department is working hard to provide clear water.
- We received sales tax revenue from Orange County in the sum of \$49,000, we budgeted for \$45,000 but received more, which is great news and we should be receiving more in November.

➤ **Correspondence:**

- none

➤ **Public Comments**

- **Sonia Ayala** shared that she is experiencing clean water and it feels great and her neighbor as well. She suggested that the Village Board reopen the public hearing held on May 10, 2021 (May 21, 2021) regarding the special permit for houses of worship and changes to zoning codes. The public needs to hear answers to the questions and comments made that day. Also whether the Orange County Planning Department sent correspondence regarding the proposed changes. If you can't reopen the public hearing, then have another public hearing. She is disappointed to see the 9/11 monument has white bulbs missing and one is just hanging there. She asked the Mayor to make sure the 9/11 Monument is cleaned up and that the lights are taken care of. We lost many of our neighbors and first responders on 9/11, lets honor them and their families by keeping that area cleaned up. The Mayor advised that it will be taken care of.
- **Sue Anne Vogelsberg** on May 13, 2021 the case was dismissed for 185 Prospect Road that was operating as an Airbnb in violation of village code. The owner pled guilty, paid a fine of \$350.00 and agreed not to rent for less than 30 days. He is back at it again and she resubmitted an incident

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report and then sent documents to the executive committee of Airbnb on June 8, 2021 and is awaiting their reply. On May 16, 2021 she submitted a FOIL request of 4 different items and as of yet, she has not received them. As per Christine O'Neil from Open Government she suggested filing an appeal which she submitted the documents to Kerry and also sent a copy to Ms. O'Neil. When you submit a FOIL request you are supposed to receive a response within 5 business days. Multiple properties are leaving both their garbage and construction debris curb side all the time, not just for garbage day, how would the board prefer to handle this, individual reports or multiple addresses on one form? When is the public going to receive answers from the Village Engineer for the questions submitted at the public hearing for the amending of the house of worship. In previous meetings people have been asking to put speed bumps in and if you research prior administrations, it has already been researched and the village was advised that speed bumps are not permitted on village streets because the village could be liable for any injuries sustained as a result of those speed bumps. With regard to Bellville doing work, along Peddler and Prospect the drainage on the side, the weeds are sky-high and the drain can't work properly if it is filled with weeds and it also impacts on the vision when you are driving, if they could take a look and do some maintenance with that. 259 Prospect has a realtor sign, Blooming Realty is posted outside of it and there are people living inside and you can hardly see the poor swing set in the front yard because the grass is so high.

- **Patty Morrice** what are the rules for "for sale" signs in front of the houses. She spoke with a few realtors and the people living in the house and there are people living in the house. She doesn't understand why the "for sale" signs are still up? How long are they allowed to keep them up? They are at Dallas and Pine Hill; 63 Dallas, 63 or 65 Duell she thinks and a couple of other ones. She wanted to know how long are they allowed to keep the "for sale" signs on the lawn. Had an additional question regarding dump trucks going up and down 1231 Route 208, she was told there was a baseball field being built and she wanted to know if this was true?
- **Naomi Fingerhut** she submitted questions prior to the May 10, 2021 (May 21, 2021) hearing on zoning and has not received a response for any of her questions. The garbage cans, especially along Peddler Hill Road, are out all week long, not just on the night before garbage pick-up and they are overflowing constantly.
- **Brian Mullan** has seen many instances lately of work/construction work being done before 8:00 am. He has talked with some companies and they still continue to do it. Also last Sunday, there is a lot of work being done down here on San Antonio Circle. He doesn't think residents are aware and certainly companies aren't aware of our codes here, that there shouldn't be work being done before 8:00 a.m. or after 8:00 p.m. and certainly not on Sundays. Maybe residents can be made aware of these rules. The Mayor advised to call the police.
- **Bonnie Rum** many people ask questions, especially during the hearings, and very often Mr. Ugell says you can't give answers to those questions. When do the answers come? If the board has no work sessions which would be available to the public to view, when do you get all the work done for the meetings that are open to the public. Perhaps the attorney can answer? Attorney Ugell advised it is done during the course of the day or evening, whenever something needs to be addressed we address it. The management of a day-to-day government is not something that is recorded or broadcasted.

Ms. Rum continued saying, many questions are asked during public hearings and the answers, she assumes you have to check and research them, so when do the answers come back to the public? A discussion ensued. The Mayor advised that we always have a professional available to answer

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questions. Attorney Ugell, to be clear during the last meeting when we adopted house of worship legislation, we answered many, many questions, we were not shy about that.

- **Sheila McGroddy** in terms of the concerns or questions that were raised on the work sessions, I have attended a lot of public meeting in the area, county, legislator, various towns and villages and school board, over her 30 years in the area. Her understanding of open meeting law, having looked into it for other reasons is yes the proper way for a governmental body to operate, any time a quorum is present doing business, which means discussing matters, deciding what a resolution should say, that should be conducted in front of the public. The school board for example meets twice a month, the first session is a work session, people are not allowed to give comment but they are allowed to be present so they can see the discussion that go on the questions that are asked, so that when it is decided that they are going to have a resolution at the next meeting they can understand what went into that discussion, why the decisions that were made were made. She believes, her understanding of good government is that's the way it operates. She believes the Town of Blooming Grove does a very good job of doing that at their meetings. Regarding questions being answered, she did virtually attend the public hearing on May 14, 2021 (May 21, 2021) and I have to hardily disagree with the contention that answers were given, some answers were given, mainly to the question as to how many houses of worship would be allowed, was set that we cannot set a limit on that. Many environmental concerns were raised about removing of the overlay district and other peoples concerns regarding how they worship. She has concerns regarding removing overlay districts and building larger homes where perhaps that means taking down all the trees. Having observed that public hearing and having observed many, my understanding of a public hearing and I have seen a lot done well, is that the comments are recorded. For example Lego Land, she attended the public hearing on that, they did go through and answer the public, they had a lot of discussion and a lot of answers given. She feels that she did not see any answers given. If you are going to be a public body serving all the public, all the resident of South Blooming Grove that she thinks people should have access to answers in some way, shape or form.
- **Eric Vogelsberg** he is very confused and has one question for the board and attorney, many have said that a lot of questions have been asked and answered. How can you say that when many prior public hearings we have been told clearly that this is a public hearing you don't have to answer any questions and you should send the questions in writing to the board? Which is it? You have answered all the questions, or you don't ask questions at a public hearing? You are talking out both sides of your mouths.
- **Donna Douglas** advised the board to look at Section 235-66 in the village code item c exemptions, number #2 states "noises emanating from construction and maintenance activities between 7am and sunset, except that no such activity shall take place on Sundays or Holidays. Just wanted you to know that there is no construction on Sundays.
- **Gloria Gelletich** regarding the public meeting, her questions were not answered, she is still waiting for the answers. She did ask at the time and the engineer said that and the lawyer said they would get back to me and look into it. She just wanted to confirm what the other citizens said.
- **Ryne Kitzrow** requested an extension on the public hearing for the house of worship as well as an amendment that was proposed during that public hearing. His biggest concern during that hearing really had nothing to do with the house of worship itself but it was the deceivingly unrelated aspects that were in that law which included removing of the assessment for protected flora and fauna, including increasing the density percentage within the overlay district and included increasing the

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height requirements in the overlay district and those really seem completely unrelated to the house of worship law in terms of intent and substance and really should be removed from what was being proposed.

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➤ **Business**

- **Resolution No. (056)** - Resolution of the Village Board of the Village of South Blooming Grove authorizing the Mayor to enter into an agreement with Peak Power for generator maintenance services. Motion to accept by Mayor Kalaj, seconded by Deputy Mayor Weiss. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman, and Trustee Rosner.*
- **Resolution No. (057)** - Resolution of the Village Board of the Village of South Blooming Grove setting a time a place (July 12, 2021) to determine violations of the Village Code's Property Maintenance Provisions (Chapter 102). Motion to accept by Mayor Kalaj, seconded by Trustee Rosner. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman, and Trustee Rosner.*
- **Resolution No. (058)** - Resolution of the Village Board of the Village of South Blooming Grove scheduling a special meeting and public hearing for June 25, 2021 at 11:00 a.m. to hear input from citizens and groups with regard to the Orange County Community Development Block Grant Program for the fiscal year 2022 Funding Application Municipal Grant Program. Motion to accept by Deputy Mayor Weiss, seconded by Mayor Kalaj. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman, and Trustee Rosner.*
- **Resolution No. (059)** - Resolution of the Village Board of the Village of South Blooming Grove authorizing Belleville Landscaping to perform property maintenance to abate violations of the Village Code's Property Maintenance Provisions for the Property Located at 5 Green Road. Motion to accept Trustee Rosner, seconded by Mayor Kalaj. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman, and Trustee Rosner.*
- **Resolution No. (060)** - Resolution of the Village Board of the Village of South Blooming Grove authorizing Belleville Landscaping to perform property maintenance to abate violations of the Village Code's Property Maintenance Provisions for the Property Located at 39 Duelk Avenue. Motion to accept Trustee Rosner, seconded by Mayor Kalaj. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman, and Trustee Rosner.*
- **Resolution No. (061)** - Resolution of the Village Board of the Village of South Blooming Grove authorizing Belleville Landscaping to perform property maintenance to abate violations of the Village Code's Property Maintenance Provisions for the Property Located at 3 San Marcos Drive. Motion to accept Trustee Rosner, seconded by Mayor Kalaj. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman, and Trustee Rosner.*
- **Resolution No. (062)** - Resolution of the Village Board of the Village of South Blooming Grove authorizing Belleville Landscaping to perform property maintenance to abate violations of the Village Code's Property Maintenance Provisions for the Property Located at 24 Fort Worth Place. Motion to accept Trustee Rosner, seconded by Mayor Kalaj. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman, and Trustee Rosner.*

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➤ **Abstract**

- Motion to adopt the Abstract by Mayor Kalaj, seconded by Trustee Rosner, 5 Ayes, *Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Rosner, and Trustee Guttman.*

➤ **Trustee Comments**

- Mayor commented that he is not happy with the law that it takes 30 days to clean up your property or cut your grass, he doesn't think that is working. It should be a shorter time, so that people will have to take care of their maintenance. Giving them 10 days or two weeks at the most. We have to work on that.

➤ **Adjournment**

- Motion to close the meeting at 7:40 p.m. by Mayor Kalaj, seconded by Trustee Rosner. 5 Ayes, *Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman, and Trustee Rosner.*

Minutes respectfully submitted by
Kerry Dougherty, Village Clerk