

# **VILLAGE OF SOUTH BLOOMING GROVE**

## **Board of Trustees**

### **Regular Meeting**

**Monday**

**June 26, 2017**

**7:00 p.m.**

➤ **Call to order**

- Mayor Rob Jeroloman called to order the Village Board Meeting at 7:00 pm on June 26, 2017 at the South Blooming Grove Village Hall 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:

- Robert Jeroloman – Mayor
- John Hickey – Deputy Mayor
- James Mullany -- Trustee
- Dorine Sas – Trustee
- James LoFranco – Trustee
- Joseph McKay Esq. – Village Attorney

➤ **Absent**

- None

➤ **Public Comments**

- Ingrid Pappas – Resident reported a large barbeque took place at the Stone Gate ballfield on Father's Day June 18. Mayor was notified by Police Department and confirmed that barbeques are not permitted on the ball field due to possibility of fire. Signs have been ordered stating the residents are not permitted to hold barbeques on the Rolling Hill Ball field and will be installed upon receipt.
- Steve Kearins – Resident asked the status of the 25 foot storage container located at 9 Dallas Drive. Mayor reported the owner is due in court on July 15 and stated there is an enforcement action in place. The owner has been given through July 15 to remove the container. Resident asked if this enforcement can be treated as the grass violations, the container is not the same type of violation so the answer is no. Resident asked about building taking place at the same location, mayor stated the building inspector visits every three days. Multiple violations have been issued to the owner of the property. Residents asked about building taking place after 9:00 pm; Mayor told residents to call the Police Department if construction is taking place after 9:00 pm as this is against the building code. Deputy Mayor Hickey stated the codes are in place but enforcement has been the challenge and the Village Board is working to rectify the situation.

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- Debbie Bragado – Resident asked about the status of the mivkah at 13 Green. Mayor Jeroloman stated the work is not completed, and no C/O has been issued at this time. Ms. Bragado mentioned Town Supervisor of Monroe and a local filmmaker were in the Village of South Booming Grove last weekend. The board dispelled many of the points the pair made over the weekend and thanked the resident for reporting the incident. Resident asked about the Blooming Grove Realty for sale sign on Route 208; located near the entrance of Rolling Hills. The property is a narrow tract of land that runs to the stream body. The property has been up for sale multiple times in the past but the location is a challenge to develop.
- Sue Vogelsberg – Resident inquired about violation fees. Mayor Jeroloman and Village Attorney McKay stated there is a fee schedule and the village code has a range fine. Resident asked if there is interest on fines and what happens if fines are not paid. Village Attorney McKay stated it could go to a civil judgement.
- Steve Mende – Resident asked why repeat violations cannot be issued, the reasoning being a simple one time violation will not make the homeowner comply. Village Attorney McKay stated that violations can run up to \$250 per incident and that it is possible to issue multiple violations if deemed necessary. Resident reported bathroom has been demolished at 5 San Marcos and the debris was dumped between 5 and 7 San Marcos. A violation has been issued and a month later the debris is still there. Mayor Jeroloman stated he will be in touch with the Building Department.
- Donna McGoldrick – Asking if the Building Department is treating all residents equally? Also, questioned why violations are being issued to residents who are selling their homes. Expressed concern about the fence at the corner of 37 Dallas Drive. The concern is visibility is blocked and will cause a serious accident. Mayor Jeroloman stated the property has been reviewed by the Village Engineer and there is an enforcement action issued and needs to go to court. The property owner has been informed that the fence needs to be moved. Ms. McGoldrick inquired about the village sending a newsletter with updated information.
- Samantha Giovagnoli – Resident asked about fines not being paid and if the village will be responsible for the fees incurred. Village Attorney McKay stated fees collected cover the administrative costs incurred by the village. Suggested setting up a “Watch Dog” program to be sure all are treated equally. Resident mentioned that if potential buyers feel they are being discriminated against, and that realtors are required to show homes to all interested parties. Potential buyers who may not be receiving equal opportunity to view homes that are for sale should file complaints with the State Association of Realtors and Hudson Gateway Board of Realtors to protect home buyers rights.
- Brian Bohan – Thanked the Village Board for their hard work. Inquired about the borders of the Town of North Monroe. Attorney McKay stated the County of Orange is responsible for setting town lines. Mayor Jeroloman has attended the meeting at the county regarding the Town of North Monroe and that currently no decision has been made. Municipalities must establish

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borders. Resident stated water is an issue and the village must be diligent in protecting its water resources.

- Eric Vogelsberg – Resident asked if cease and desist order can be used against residents with multiple violations; Mayor Jeroloman stated that it is not possible, not part of the village code.
- John Giovagnoli – Resident asked if violations can be reduced or dismissed; Mayor stated that violations are non-negotiable and cannot be reduced.
- Kevin Hudson – Expressed support for work of the Village and mentioned that local legislature needs to be approached to discuss issues.
- Sue Ann Vogelsberg – Stated she attends Rules & Enactments Committee meetings bi-monthly. Residents need to keep in touch with current legislators and be pro-active.
- Debbie Bragado – Mentioned recent bus accident that occurred on Michael Court. Mayor stated the Police Department is investigating the incident. Complaints regarding speeding and bus turns have been noted and are being addressed.
- Ingrid Pappas - Resident asked why buses are entering Michael Court after years of no bus stop at the road. The Police Department is investigating if summons are to be issued. Recording devices have been impounded and are being reviewed.

#### ➤ **Correspondence**

- Letter dated June 19, 2017 from Donna Douglas requesting to serve as an alternate to the Planning Board
- Letter dated June 23, 2017 from Mary Ellen Beams regarding the DGEIS for the Town of Monroe; including the proposed adoption of the 2017 Comprehensive Plan Update and Chapter 57 zoning amendments.

#### ➤ **Adoption of prior Meeting Minutes**

- Motion to adopt 6/12/2017(regular meeting); 4/3/2017 (regular meeting) minutes by Trustee Sas, seconded by Deputy Mayor Hickey – *5 Ayes, 0 Absent*. Motion to adopt meeting minutes from 1/11/2016, 3/21/2016, 5/19/2016, 6/02/2016, 7/25/2016, 10/24/2016, 12/12/2017 presented by Deputy Mayor Hickey, seconded by Trustee Mullany. Minutes adopted – *4 Ayes, 1 Absent*.

#### ➤ **Business**

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- **Resolution No. (49)** – Granting a block party permit for July 15, 2017. Motion to accept by Trustee Mullany, seconded by Trustee Sas. – *Resolution passed 5 ayes – Mayor Jeroloman, Deputy Mayor Hickey, Trustee Mullany, Trustee Sas, and Trustee LoFranco.*
- **Resolution No. (50)** -- Public hearing to amend chapter 235 of the village code regulating accessory apartments to single family dwellings. Motion to accept by Deputy Mayor Hickey, seconded by Trustee LoFranco. -- *Resolution passed 5 ayes – Mayor Jeroloman, Deputy Mayor Hickey, Trustee Mullany, Trustee Sas, and Trustee LoFranco.*
- **Resolution No. (51)** -- Public Hearing to amend Chapter 235 of the village code regulating fences. Motion to accept by Trustee Sas, seconded by Trustee LoFranco. -- *Resolution passed 5 ayes – Mayor Jeroloman, Deputy Mayor Hickey, Trustee Mullany, Trustee Sas, and Trustee LoFranco.*
- **Resolution No. (52)** – Public hearing to amend chapter 110 of the village code regulating sight distance requirements. Motion to accept by Trustee Sas, seconded by Trustee LoFranco. -- *Resolution passed 5 ayes – Mayor Jeroloman, Deputy Mayor Hickey, Trustee Mullany, Trustee Sas, and Trustee LoFranco.*
- **Resolution No. (53)** – Public hearing to amend chapter 70 of the village code requiring a building permit in order to erect fences within the village. Motion to accept by Trustee Sas, seconded by Deputy Mayor Hickey. -- *Resolution passed 5 ayes – Mayor Jeroloman, Deputy Mayor Hickey, Trustee Mullany, Trustee Sas, and Trustee LoFranco.*
- **Resolution No. (54)** – Public hearing to determine violations of the village’s code regarding property maintenance provisions. Motion to accept by Deputy Mayor Hickey, seconded by Trustee Sas. -- *Resolution passed 5 ayes – Mayor Jeroloman, Deputy Mayor Hickey, Trustee Mullany, Trustee Sas, and Trustee LoFranco.*
- **Resolution No. (55)** – Appointing Keith Williams to the Village of South Blooming Grove Planning Board. Motion to accept by Deputy Mayor Hickey, seconded by Trustee Sas. -- *Resolution passed 5 ayes – Mayor Jeroloman, Deputy Mayor Hickey, Trustee Mullany, Trustee Sas, and Trustee LoFranco.*
- **Resolution No. (56)** – Appointing Donna Douglas as an alternate member to the Village Planning Board. Motion to accept by Deputy Mayor John Hickey, seconded by Trustee Sas. – *Resolution passed 5 ayes – Mayor Jeroloman, Deputy Mayor Hickey, Trustee Mullany, Trustee Sas, and Trustee LoFranco.*
- **Resolution No. (57)** – Public hearing regarding proposed local law regulating solar energy systems and equipment within the Village of South Blooming Grove. Motion to accept by Trustee Sas, seconded by Deputy Mayor John Hickey. – *resolution passed 5 ayes – Mayor Jeroloman, Deputy Mayor Hickey, Trustee Mullany, Trustee Sas, and Trustee LoFranco.*

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- **Resolution No. (58)** – Public hearing adopting local law designating the zoning of a certain parcel of real property previously located in the Town of Blooming Grove and pending annexation into the Village of South Blooming Grove, which parcel is identified on the Orange County tax map as Section 53, Block 1, Lot 19. Motion to accept by Trustee Sas, seconded by Deputy Mayor Hickey. – *Resolution passed 5 ayes – Mayor Jeroloman, Deputy Mayor Hickey, Trustee Mullany, Trustee Sas, and Trustee LoFranco.*

#### ➤ Abstract

- Motion to accept the abstract by Trustee Mullany, seconded by Deputy Mayor Hickey, abstract accepted 5 Ayes.

#### ➤ Discussion

- Board opened the floor for discussion. The Mayor explained that the village has established developer's agreements with different projects protecting the village against any violations of the village code. If any violation of the code takes place as stated in the contract, the village will have the right to take the business to court. Misinformation does exist and the board encourages residents to get valid information from sources other than social media.

#### ➤ Trustee Comments

- Trustee Sas encourages residents to call Police Department if building is taking place after 9:00 pm.
- Police Department violations are given to the Building Department and followed up the following day. If there is an unsafe/fire hazard discovered by the police department after hours, the building department will be notified immediately.
- Surveys are being completed at several locations in the village regarding issues of sight distance. The code is in the process of being amended to ensure safety for residents.

#### ➤ Mayor Comments

- Mayor stated the village must adhere to law, government cannot intrude on private property. If a property is determined to be an imminent danger for residents, then action can be taken to protect the public. The circumstances must be determined to be a threat to public safety.

#### ➤ Adjournment

- Motion to enter executive session for enforcement action, by Trustee Mullany, seconded by Deputy Mayor Hickey at 8:48 pm. 5 Ayes

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- Motion to exit executive session by Trustee Sas, seconded by Deputy Mayor Hickey at 9:37 pm.  
*5 Ayes*
  
- Motion to close the meeting by Trustee Sas, seconded by Deputy Mayor Hickey at 9:50 pm. *5 Ayes*

Minutes respectfully submitted by  
Christine Bodeker