

**VILLAGE OF SOUTH BLOOMING
GROVE
REGULAR MEETING
Monday
August 23, 2021
8:00 P.M.**

➤ **Call to order**

- Mayor Kalaj called to order the Village Board Meeting at 8:16 p.m. on August 23, 2021 via at 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
- Daniel Kraushaar, Esq. – Village Attorney
- Kerry Dougherty – Village Clerk
- Joel Stern – Confidential Assistant

➤ **Absent**

- Scott B. Ugell, Esq. – Village Attorney
- Isaac Ekstein – Legislative Aide
- Alfred Fusco, Village Engineer

➤ **Mayor's Comments:**

- We were in touch with the Orange County Department of Health. We are arranging a vaccination site in our village for Covid. The Sleep Inn Hotel is going to provide their facility for a vaccine clinic.
- Red Cross volunteers will go to residents that sign up to educate on fire prevention for homeowners.
- Please do not throw things that are not flushable in the toilet because it is creating problems. Rags, even if they say flushable are not to be put into the toilet.
- We had a meeting with Orange and Rockland about the well and they are willing to give us an easement for a new well, which is good news. The attorneys have to work out an agreement for an easement.
- Assemblyman Colin J. Schmitt asked for a nomination of a first responder from municipalities. Joel Stern explained the nomination program and advised who he would vote for and told the board that two weeks ago there was a drowning of a child in the Village of South Blooming Grove, the child was under water for three (3) minutes and KJ EMS and dispatch was called and Isaac Ekstein was on the call within 45 seconds and was able to save the life of that child. Mr. Ekstein is a certified medical emergency technician and volunteers his time for EMS purposes and worked through Covid and goes above and beyond to serve the community. He believes he

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should be the nominee for the Village of South Blooming Grove but leaves it up to the Board. The Mayor advised that he totally agrees. Trustee Guttman made a motion to nominate Issac Ekstein, Trustee Rosner seconded, 5 Ayes.

The Mayor announced that he has the utmost respect for our Fire Department and EMS.

➤ **Correspondence:**

- August 19, 2021 Memorandum from Village Planning Board referring back to Village Board for 1 Roanoke, 1233 Route 208, 17 Sleepy Hollow and Mountain Roads.

➤ **Public Comments**

- **Ryne Kitzrow** commented regarding the last Resolution on the agenda, regarding exempting the Ambulance Garage at 29 Merriewold Lane South. His understanding is that there are only three instances which you can exempt a property from Zoning – the first being that it is a federal or state action, the second is statutory specific (power plants), limited immunity generally has to do with an action on municipal property. There are potentially some exceptions to that with first responders (he provided an example) it is not clear if that applies to a property that is not owned by a volunteer, he thinks in this case it is rented. He cited County of Monroe v. City of Rochester, which established a litmus test for balancing. In the resolution before the village board there is nothing identifying that this matter has passed that litmus test. Another local board (Town of Gardiner) action involving a cell tower proves that you must consider other alternatives for a site as part of litmus test. He advised that the Village Board should consider a litmus test and the legality regarding this property and resolution.
- **Donna Douglas** The Board should have considered other volunteers in the neighborhood. When will Merriewold Lake be treated.
- **Sue Anne Vogelsberg** – Any updates on 76 Peddler Hill Road, is it a camp, is it a residential facility, group home? She contacted Building Inspector. Any updates on the Auction of the old village vehicle. Any updates on community day. Thank you for doing 9/11 ceremony. Last Thursday the planning board meeting was very hard to follow moving forward can the village find a better arrangement if Engineer Fusco isn't able to attend in person. Any updates on Village's Emergency Plan that is when the Mayor is unavailable from Friday sundown to Saturday sundown, she has been asking weekly. She has reviewed the Village's Code of Ethics in light of the United Jewish Community of Blooming Grove current lawsuit against the Washingtonville School District. Joseph Stern and Isaac Ekstein as village employees and also on the Board of Trustees of the United Jewish Community of Blooming Grove. It seems like it might be a conflict to interest. She submitted questions and concerns again to NYS oversight agencies and is awaiting their reply. 185 Prospect continues to operate as an Air B & B in violation of village code. She continues to submit incident reports. House of Worship is moving forward but Engineer was working on the application, how is this moving forward.
- **Joseph Stern** answered, if there is a medical emergency of course anybody and everybody is encouraged to call 911. If there is a water emergency, please do not call the Mayor, we have a very dedicated, loyal employee, who is very capable, Delfino, and we have an emergency hotline or a number where you can leave a message which goes straight to Delfino versus calling the Mayor and the Mayor having to call Delfino. The hotline capabilities are being upgraded to a much more

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capable system for less, less money. The older village vehicle is being utilized and needed by the village right now.

- **Simon Gelb** wanted to point out that in reference to the applications for House of Worship, the village had an application for an unlisted use for all kinds of special use permits and the discussion of doing a new application (approximately 2 months ago) to make it easier because there are three different categories instead of going through a long application containing information that is not relevant the board and the consultants had a discussion to do a special application to make it easier but there is an existing application which falls under the Village Special Use Application which is available since 2006 or 2009.
- **Bonnie Rum** The house of worship applications, are the changes in the code included in the application. Parking etc.is that addressed. Trustee Guttman advised that will be reviewed by the building department before it is approved.
- **Attorney Kraushaar** advised that the they still have to comply with the Building and Fire Code of the State of New York which is the responsibility of the Building Inspector. If it is considered to be a place of assembly it would require an annual fire inspection and if the capacity exceeds 50 people safety and fire protections are required that do not exist for a single family home.

➤ **Business**

- **Resolution No. (092)** – Resolution of the Village Board of the Village of South Blooming Grove setting a time and place for a Public Hearing (September 13, 2021) to determine property violations of the Village Code’s Property Maintenance Provisions (Chapter 102). Motion to accept by Trustee Rosner, seconded by Trustee Guttman. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (093)** - Resolution of the Village Board of the Village of South Blooming Grove authorizing the mayor to enter into an agreement with JetWave Corp for phone and fax services. 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. (094)** - Resolution of the Village Board of the Village of South Blooming Grove setting the date and hours of the Village’s September 11, 2021, Remembrance. Motion to accept by Trustee Rosner, seconded by Deputy Mayor Weiss. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (095)** - Resolution of the Village Board of the Village of South Blooming Grove authorizing the mayor to enter into a Memorandum of Understanding with the County of Orange to host a vaccine drive at the Sleep Inn on August 30, 2021. Motion to accept by Trustee Guttman, seconded by Mayor Kalaj. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (096)** - Resolution of the Village Board of the Village of South Blooming Grove extending the terms of Mayor and Village Trustees to four (4) years. Motion to accept by Trustee Guttman, seconded by Deputy Mayor Weiss. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (097)** - Resolution of the Village of South Blooming Grove setting a time and place for a public hearing regarding Religious Use Special Permit for 1 Roanoke Drive on September 13,

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2021, at 8:02 pm. Motion to accept by Trustee Feldman, seconded by Deputy Mayor Weiss. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman and Trustee Rosner.*

- **Resolution No. (098)** - Resolution of the Village of South Blooming Grove setting a time and place for a public hearing regarding Religious Use Special Permit for 1233 Route 208 on September 13, 2021, at 8:03 pm. Motion to accept by Trustee Rosner, seconded by Trustee Guttman. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (099)** - Resolution of the Village of South Blooming Grove setting a time and place for a public hearing regarding Religious Use Special Permit for 17 Sleepy Hollow and Mountain Roads on September 13, 2021, at 8:04 pm. Motion to accept by Trustee Guttman, seconded by Trustee Rosner. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (100)** - Resolution of the Village of South Blooming Grove setting a time and place for a public hearing regarding 55 Mangin Road for review of request to enter into the sewer district on September 13, 2021, at 8:05 pm. Motion to accept by Trustee Feldman, seconded by Trustee Guttman. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (101)** - Resolution of the Village of South Blooming Grove approving Religious Use Special Permit for 2 Duell Avenue and referring to the Building Department. Motion to accept by Trustee Rosner, seconded by Trustee Feldman. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (102)** - Resolution of the Village of South Blooming Grove exempting from Zoning and Planning Board an Ambulance Garage at 29 Merriewold Lane South from the Town of Blooming Grove Htatzalah. 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.*

➤ **Abstract**

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

➤ **Adjournment**

- Motion to close the meeting at 9:01 p.m. by Mayor Kalaj, seconded by Trustee Guttman. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman and Trustee Rosner.*

Minutes respectfully submitted by
Kerry Dougherty, Village Clerk