

**VILLAGE OF SOUTH BLOOMING  
GROVE  
PUBLIC HEARING TAX CAP  
Monday  
November 22, 2021  
8:02 P.M.**

➤ **Call to order**

- Mayor Kalaj called to order the Village Board Public Hearing at 8:02 p.m. on November 22, 2021, via Zoom Meeting #874 2546 0201 for 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:

- George Kalaj – Mayor
- Abraham Weiss- Deputy Mayor
- Asher Guttman - Trustee
- Yitzchok Feldman– Trustee
- Zalmon Rosner - Trustee
- Scott B. Ugell, Esq. – Village Attorney
- Isaac Ekstein- Legislative Aide to Mayor
- Joel Stern – Confidential Assistant to Mayor
- Holly Brown - Treasurer
- Kerry Dougherty- Village Clerk

➤ **Absent**

- Al Fusco – Village Engineer

➤ **Public Hearing**

- Attorney Ugell explained that what we do as a prophylactic measure, is to have a resolution and a local law essentially to allow us to exceed the 2% tax cap. We don't anticipate doing it, but we always do it this way so that if we do exceed it we will have met the legal requirements and won't have any consequence. After the budget is done and we have not exceeded the 2% cap, then we make a motion and a local law to then dispel the prior local law which authorized us to exceed the tax cap. This is purely a prophylactic measure. It is very rare to expect that we would exceed the cap but we do it just to protect ourselves.

➤ **Public Comment**

- **Sue Anne Vogelsberg** – As she understands it she was reading up about this tax cap stuff, this allows the village to raise taxes in order to pay bills. For the past couple of months the residents have been told that all of these large commercial developments are going to offset the decreased property tax revenue as a result of some many residents coming off the tax roles. She is wondering if it is not too late to slow down or to stop all these residents from being changed into houses of worship or whatever until the commercial properties can begin to pay taxes. She doesn't know if that is something even possible. It says that the tax levy cannot exceed the cap unless 60% of the voters approve this increase. Is it us as citizens that approve it or is it the board that is gonna approve this? The quantity change factors, that due to physical or quantity change, all of that is happening, she is really concerned that by increasing and already with the budget we are seeing that

**VILLAGE OF SOUTH BLOOMING  
GROVE  
PUBLIC HEARING TAX CAP  
Monday  
November 22, 2021  
8:02 P.M.**

the income is less than what our expenses are and she is concerned by doing this they we are going to put ourselves, the village in a hole and she doesn't know whether it is financially wise to put this in place and exceed the tax cap.

- **Susan Blakeney** – Mr. Ugell you said that you do this often as a preemptive. She has never heard about this before in the Village of South Blooming Grove. Can you explain why you say this is just the standard procedure to do that. If it is a standard procedure, how come I haven't heard it before. Please answer my question. **Attorney Ugell** advised it is a practice that is utilized by most village's as far as he knows. He also wants to explain and reiterate that it is prophylactic in nature, it is something that is done for that exact reason with a probability of us exceeding the cap is extremely low, but is something that is recommended by municipal practitioners for the exact reason that it protects us in the event there is some kind of a problem, but budgets by municipalities, and particularly ours, are done with great detail with our Accountant that it is very unlikely that whatever budget we came up with would be challenged. Part of the reasons that villages might do this is because if their budget is presented and the typically it is the state comptroller if they were to audit for example and find something that was not proper and that expenditure, by not being proper, may cause the cap to be exceeded. That is one of the reasons why someone might do it. Again the probability is so incredibly slim but we do it just the same. What is the maximum that the increase can be? It is scary for village residents to think it could go 5, 10, 20%. **Mr. Ekstein** advised that this questions will be forwarded to the Accountant.
- **Kristie Johnson** – She doesn't ever remember seeing this prophylactic measure being taken before in the Town of Blooming Grove, so please forgive my confusion and I'm sure a lot of other people feel the same way. We were told that this budget was pretty much solid and sold, but you are taking a prophylactic measure in case the county shuts it down. Maybe they will, there is a lot of dipping into reserves and a lot of big questions here. She understands why you are taking this measure but it seems more proactive then preventative, like you are expecting this to get shut down and you are expecting to need to raise taxes. That is not just a concern for village residents, I live in the Town of Blooming Grove and the tax roll in the village affects us as well. Everything you do there affects me and my investment in my property and my investment in this school district and in my children and in my neighbors too. I feel like we are being hushed and quieted. At the last planning board meeting they completely dismissed the general pubic comments and this is a result of us being on Zoom, had we been in person we would have been able to remind them that they didn't give us a change to give general comments. You are limited us as to what we can talk about, when we call our questions aren't answered. Our FOILs are not received or done and its getting frustrating. **Joel Stern** advised that of course what we are doing here in the village is affecting your property values and everything else. I am not sure if her property went up double the amount in value or triple the amount, he is not sure exactly about that. Or tax ratable and grant money that we are brining in that nobody has ever done before, but maybe by the time we end up implementing this budget, next year around this time her property is going to be about four times the value.
- **Bonnie Rum** Accountant Nyman said during the work session that is was fairly clear that the taxes would have to go up because of all of the houses of worship coming off the tax rolls, that statement was made. So the question is where is the extra income coming from to take care of that discrepancy anticipated and already seen because there are quite a few house of worship in the works and also if that's what happens this year and if there are more houses of worship that are established next year she is assuming that income will have to made up again on the backs of property owners. That needs to be addressed.

**VILLAGE OF SOUTH BLOOMING  
GROVE  
PUBLIC HEARING TAX CAP  
Monday  
November 22, 2021  
8:02 P.M.**

- **Scott Morrice** – the 2%, can you limit the amount that you are going to raise for over the 2%? For example can it be up to 10% over the 2%. **Isaac Ekstein** advised that this has to be passed every year just a precautionary as Attorney Ugell said. **Mr. Morrice** responded you know that the village is going to spend more than it is getting in taxes. Are you going to answer my question? **Isaac Ekstein** advise that it is precautionary although Mr. Morrice believes its not. The law is that if you go over the 2%, you have to pass a law that you can do so. Permissive referendum is available with this law, once the law is passed.
- **John Daly** does the referendum apply to people exempt from taxes. **Mr. Ekstein** advised that a petition can be made to request a permissive referendum. **Mr. Daly** is concerned that residents that don't have to pay taxes have a right to vote on a permissive referendum. It sounds self-serving. In the end you can run out of people to pay taxes.

➤ **Adjournment**

- Motion to close the public hearing at 8:29 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, Clerk