

**VILLAGE OF SOUTH BLOOMING  
GROVE  
REGULAR MEETING  
Monday  
November 22, 2021  
8:00 P.M.**

➤ **Call to order**

- Mayor Kalaj called to order the Village Board Meeting at 8:29 p.m. on November 8, 2021, via Zoom Webinar No. 881 0598 2122 for the South Blooming Grove located at 819 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
- Yitzchok Feldman – Trustee
- Asher Guttman – Trustee
- Zalmon Rosner – Trustee
- Scott B. Ugell, Esq. – Village Attorney
- Kerry Dougherty – Village Clerk
- Joel Stern - Confidential Assistant to Mayor
- Isaac Ekstein – Legislative Aide to Mayor
- Marvin Nyman- Village Accountant
- Holly Brown- Treasurer

➤ **Absent**

- Al Fusco, Village Engineer

➤ **Mayor's Comments:**

- We were very lucky that we had no water main breaks for the past two weeks. We are supposed to start the paving on Pine Hill Road, but unfortunately due to the weather we had to push it until next Monday, but they will start prepping tomorrow. I also like to ask the residents, Please do not throw anything that is not flushable down the toilet. It is causing a huge problem. The Mayor wished everybody and their families a Happy Thanksgiving.

➤ **Correspondence:**

- November 16, 2021 Memorandum from Village Treasurer modifying transfer of funds (\$40,000) from the general fund to water operating account.

➤ **Public Comment**

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- **Scott Morrice** - there seems to be an awful lot of fences going up in the woods, who is putting those fences up and what are they for? Mayor Kalaj advised that it a company doing it for, he is not sure to be exact, but he know that they did get in touch with me and the clerk also brought it to my attention and he is looking into it. He thinks there is a fence for religious reasons. (This first comment was during the public hearing) Mr. Morrice continued in the regular meeting asking about all the fences being put in the woods. Are you allowed to just put fences along a road so now when the deer try to jump over it they will be in the air as they come down onto the road and could end up on peoples cars and stuff? Have permits been issued for those fences and what are they for? We have never had fences before and now fences are up everywhere. **Joel Stern** advised that the fences are basically for religious use, one its on private property with permission from the owners and everything else, it is common practice and a lot of religious areas where people use that for religious purposes for sabbath. Everything is legit and is taken care off. We shouldn't anticipate any issues with the deer. **Mr. Morrice** asked who is paying for this. **Mr. Stern** advised that that is not a village matter, he guesses it's the organization that is taking care of that but it is all on private property, properly vetted before and it is all taken care of. **Mr. Ugell** advised it is not a village expense. **Mr. Stern** confirmed it is not a village initiative and not a village expense. **Mayor Kalaj** stressed that he does not want any village property to be divided by a fence. He wanted to make sure it was clear. **Mr. Stern** advised absolutely and that if not it would be checked with the Mayor first to get all clearances for that. **Mr. Morrice** asked that the fence that was put up behind the strip mall going up to Route 208 and back, he advised that is village property, who put the fence there. **Scott Morrice** there seems to be an awful lot of fences going up in the woods, who is putting those fences up and what are they for? **Mayor Kalaj** advised that it a company doing it for, he is not sure to be exact, but he know that they did get in touch with me and the clerk also brought it to my attention and he is looking into it. He thinks there is a fence for religious reasons. **Mr. Stern** said he believes that is Stonegate Property and that they will check it out.
- **Sue Anne Vogelsberg** - submitted questions on November 12, 2022 about her concerns with the budget and so perhaps if some of the residents questions were answered and financially maybe then the village wouldn't have to go in and request the 2% tax cap increase if we would have been more financially responsible. With regard to water, with changing occupancies of many of the residents, she was told a long time ago that when a bilevel was built your regular standard bilevel there is an expectation of how many people are living in it and how much water usage and sewer usage. With many of these home being turned into single family residences, being turned into a school or whatever, there is increased water and sewer use and then of course the neighbors with wells and septics, so when you have a residence next door to you that has more than the anticipated amount of occupants, people's wells are going dry and we have to pay for them as individuals. It is not like municipal water it comes out of our pocket. With regard to the fence, the fences is also going through the cemetery by Peddler and Route 208. Trustee Guttman is the village historian and I am sure Mr. Mullany has the records still in village hall and that fence going through a cemetery is despicable and it is just as bad as spray paint on a headstone and that needs to be addressed. Mr. Guttman said he will be working on it. She expects this to

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get addressed as fast as this fence went up, this can be addressed just as fast. 206 Prospect looks, for all intents and purposes, it is a school and now they have a huge exhaust fan that looks like you would see at a Burger King or restaurant in the back. The Department of Health said they only go and investigate if food is being served to the students. It looks like a commercial kitchen might be in the back of the resident. She can't find Al Fusco's email on the website because he is the code enforcement officer and how are residents going to be able to submit stuff to him.

**Joel Stern** added that the fence is not going through the cemetery, it is going around the cemetery giving it more protection, then it had before, but will double check. **Ms. Vogelsberg** advised that on the eastern side of Route 208 there is no sign of respect and is going through the cemetery.

- **Kristie Johnson** – As she mentioned at the last planning board meeting, we were a little off script with the agenda and the Chairman neglected to allow the public their general public comments outside of the resolutions or other hearings or open issues at the end of the meeting and she is so really against these Zoom meetings, although convenient, but it is an infringement on my ability to communicate with the Village. Because I am muted, I couldn't call out to the chairman to remind him that he neglected to give us our opportunity to speak. My other concern is that it would seem Mr. Fusco is a little bit hard to communicate with and maybe we just need to be a little bit more clear on what it is that we should be reaching out to him for. I heard Kerry mention that there are things we can go directly to the clerk for. It is my understanding that the old bank property that is in front of village hall is having work done and we were told that a permit is not required, but other code enforcement officers are telling us that a permit should be required, so please revisit that, if work is being done without a permit. I have the same issue with the property going up that was residential but a commercial emergency building is going up on this property and I didn't see it come before the Planning or Zoning Board for those variances or anything yet framing is up. That is a huge concern. If I make a comment and you respond give me a chance to rebuttal, if you don't want back and forth then I don't think board members should be allowed to comment on our comments. **Mr. Ekstein** advised that there is a permit issued for the bank property and the same on Merriewold Lane as well. **Mr. Stern** advised that we should expect an answer when she comes on a public meeting making allegations that something was requested and it wasn't granted and then when challenged, you don't want to go into that conversation. Both properties have a permit and he doesn't think anything was requested from her end. Because if you would have it would have been sent. The village has up to 21 days to reply to a FOIL.
- **Bonnie Rum** – There is a lot of discussion about Mr. Fusco and his availability or lack of availability. He I believe is working with seven municipalities, including the Village of South Blooming Grove. He is the engineer, he is the code enforcement officer, he is all of these things and he apparently is not very available to the people and he is earning a living, he is making a lot of money between all of these seven municipalities. It is kind of, it is fine if he can do the job, but I just want to remind you that right now in Rockland County, Spring Valley buildings have been, the way their code has not been enforced, they have been taken over by the state or at least

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Spring Valley is being taken over by Rockland County, we don't want that to happen here. Mr. Ekstein made a comment at the last house of worship discussion that 150 people would be attending that house of worship in particular and the last I heard before that, I heard there was a maximum of 50 people, so this sounds like there could be a safety issue coming down and should be checked out. **Mr. Ekstein** asked which house of worship. **Ms. Rum** advised the last one on the list. **Mr. Ekstein** asked which address, **Ms. Rum** said you tell me? She did not know if it was Duell but you've been at the meeting, you made the comment, check the records. **Mr. Ekstein** said he will do. **Ms. Rum** said the bottom line is that it is not safe if the maximum is supposed to be 50 people and you tell us...the concern is the safety issue and if all of these buildings need to go up and be safe for the people using them, we need an inspector and a code enforcer that can do the job and Mr. Fusco apparently is contracted with seven different municipalities. That is spreading himself very thin. She doesn't know how he will do all that work. **Mayor Kalaj** believes Mr. Fusco has other engineers working on his team, therefore he is not the only person that is running around with seven municipalities, he does have other people working with which he has met. **Mr. Ekstein** advised the job of a building inspector or code enforcement officer is to enforce the code and to make sure the buildings are safe. His job is not to keep company for the residents. He does his job very well and you made the fact clear that he can handle seven municipalities and I'm sure he can handle ours too and so far we are very, very happy with him and he is doing a fine job. He is doing inspections as need, he is doing everything that he needs to do. Any FOIL or information you need on a permit is available in Village Hall and you can FOIL that at village hall. The code enforcement officer is not here to sit in the office and chat with people. He is sure people are used to that but that is not his job. He does not have to be available to chat he has to be available to do his job and he is doing that.

- **Susan Blakeney** – She is here to discuss the eight properties that have outstanding issues. You have paid \$375 for each of these properties. She looked at the properties and she wonders what was done for \$375 for each of these properties and the other thing is that 35 Dallas Drive was not listed, it one of the resolutions but it is not listed in the fees from the caretaker. Maybe you can address what they did for \$375 because if it was all eight, that is \$3,000. You are increasing the budget, you are asking to increase the cap but really \$375 to mow someone's lawn. I'll do it for \$100. Why wasn't 35 Dallas Drive included in the \$375. Please explain what they did for \$375 and why 35 Dallas Drive was not included in the resolutions and the cost of \$375. **Mr. Ekstein** advised that the cost of \$375 is not something the village is going to pay it is something that the owner has to pay. If were up to him he would charge double because they are not taking care of their property. It is not something that goes on the budget. **Ms. Blakeney** hire someone different what are they doing for \$375? Maybe you should find a new vendor and why is 35 Dallas Drive not part of the resolutions and the fee that you charge there. **Clerk** advised that she does have a bill for 35 Dallas and it may not have scanned when downloading documents for the web site.

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- **Dawn Salka** – Regarding the permit and the bank, I called village hall and spoke with Kerry a permit is not needed, so if all a sudden miraculously a permit showed up that's different then what I was told on the phone and I didn't think I had to follow up with an email because she told me and I took her word for it. **Mr. Ekstein** asked when was that call? **Ms. Salka** advised two days ago. **Mr. Ekstein** advised that at that time they did not need a permit, they were cleaning up the property. **Ms. Salka** advised they were building stuff. Emergency Services Building that is being erected in a residential neighborhood, how is that possible, there was nothing before the ZBA, how is this commercial business being put into a residential zone? Also, at past meetings we have asked for Al Fusco's contract and his hours and his contract was not finalized. How is he available when we have complaints? She would like an answer on his hours and availability. **Mr. Ekstein** advised that the bank property was cleaning and didn't need a permit at that time, when they started doing construction, they got a permit, they applied for one and they got it. As far as the ambulance, emergency service garage, they received a permit a couple of months ago and since they are emergency service, they do not have to go through the ZBA, that was determined at a meeting at village hall between the attorney and the engineer.
- **Pattie Morrice** – She stopped in village hall a few weeks ago and spoke with the Mayor about the dump trucks going up 1231 Route 208 and she was wondering if he found out any information about that? **Mayor Kalaj** advised that he contacted Jeannie via email and she is supposed to get back to him, he has to check his email. It was very limited the answer she can give me because she cannot go up on private property. He will look into it again. **Ms. Morrice** asked if there are going to be bigger houses of worship being built, and more people can go into those houses, will the smaller houses still be need and then they wont have to be tax exempt. **Joel Stern** advised that there is not going to be any limited on how many houses of worship are going to be built or whether the smaller ones will be needed, won't be needed. This is a 1<sup>st</sup> Amendment matter and every person has a right to practice his religion and there is no restriction or any limit as per the size or how many houses of worship they can or cannot be set up in any municipality.
- **Gloria Gelletich** – With regard to 206 Prospect Road, she believe the code says that the planning board has to get involved with deciding whether a residence or a building is for a school or a meeting house or whatever it is. Right now, it looks like there is a school there with 15-20 people on a daily basis, she drives there every day. The school buses are there, they are still doing construction and she believes nothing came in front of the planning board with that address and Mr. Fusco said he looked into and things were okay at one of the meetings. She would like somebody to look into a little further. It is a residence, there is a private well, there is private sewage and she didn't see anything else being established, she doesn't see another well or septic tank being put in and that is going to create a problem for the surroundings and especially right near Lake Hildegard, is it going into the lake. 30 Merriewold Lane where the Ambulance, she believes it was started on and she doesn't think anything was ever completed on that she will look into her records. Why are we transferring funds to pay the water account. It is

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our right to dip into the general funds to pay a water account? **Mr. Ekstein** in regards to 206 Prospect Road, they will reach out to Al Fusco and find out what is going on there and make sure that whatever is going on we are in the know and everything is being done right. With regard to the Merriewold Ambulance Garage, it was passed and if you want, you can file a FOIL request on that as well. About the budget, every year there are people that do not pay their water bill, that makes the water account in a deficit and being levied to the County. Until then we borrow money from the general fund to cover that. **Treasurer Brown** advised that it is a temporary borrowing and will be paid back by the beginning of January, we have had to do this in the past, by the end of the year, the water operating account is low from people not paying their bills. A lot of people have it levied onto their taxes, our receivable is high we just haven't collected all the funds yet. We anticipate collecting them when collection start again in the beginning of January and also when we start collecting village taxes that will have unpaid water and sewer from 2021.

➤ **Business**

- **Resolution No. (145)** – Resolution of the Village Board of the Village of South Blooming Grove recognizing January 23 through January 29, 2022 as the Village of South Blooming Grove NY School Choice Week by Mayor Kalaj, seconded by Deputy Mayor Weiss. *5 Ayes, Mayor Kalaj, Abraham Weiss Deputy Mayor, Trustee Feldman, Trustee Guttman and Trustee Rosner*
- **Resolution No. (146)** – Resolution of the Village Board of the Village of South Blooming Grove auditing and approving invoice received by Belleville Landscaping for work performed to abate property maintenance violations for the property located at 57 Duellk by Deputy Mayor Weiss, seconded by Mayor Kalaj. *5 Ayes, Mayor Kalaj, Abraham Weiss Deputy Mayor, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (147)** - Resolution of the Village Board of the Village of South Blooming Grove auditing and approving invoice received from Belleville Landscaping for the work performed to abate property maintenance violations for the property located at 35 Dallas Drive by Trustee Rosner, seconded by Trustee Guttman. *5 Ayes, Mayor Kalaj, Deputy Mayor Weiss, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (148)** - Resolution of the Village Board of the Village of South Blooming Grove auditing and approving invoice received by Belleville Landscaping for work performed to abate property maintenance violations for the property located at 4 Green Rd. by Deputy Mayor Weiss, seconded by Mayor Kalaj. *5 Ayes, Mayor Kalaj, Abraham Weiss Deputy Mayor, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (149)** - Resolution of the Village Board of the Village of South Blooming Grove auditing and approving invoice received by Belleville Landscaping for work performed to abate property maintenance violations for the property located at 14 Green Rd. by Trustee Rosner, seconded by Deputy Mayor Weiss. *5 Ayes, Mayor Kalaj, Abraham Weiss Deputy Mayor, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (150)** - Resolution of the Village Board of the Village of South Blooming

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Grove auditing and approving invoice received by Belleville Landscaping for work performed to abate property maintenance violations for the property located at 16 Duell Avenue Trustee Feldman, seconded by Mayor Kalaj. *5Ayes, Mayor Kalaj, Abraham Weiss Deputy Mayor, Trustee Feldman, Trustee Guttman and Trustee Rosner.*

- **Resolution No. (151)** - *Resolution of the Village Board of the Village of South Blooming Grove auditing and approving invoice received by Belleville Landscaping for work performed to abate property maintenance violations for the property located at 5 San Marcos Drive by Trustee Rosner, seconded by Deputy Mayor Weiss. 5Ayes, Mayor Kalaj, Abraham Weiss Deputy Mayor, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (152)** - *Resolution of the Village Board of the Village of South Blooming Grove auditing and approving invoice received by Belleville Landscaping for work performed to abate property maintenance violations for the property located at 4 Hawthorne Drive by Trustee Feldman, seconded by Deputy Mayor Weiss. 5Ayes, Mayor Kalaj, Abraham Weiss Deputy Mayor, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (153)** - *Resolution of the Village Board of the Village of South Blooming Grove auditing and approving invoice received by Belleville Landscaping for work performed to abate property maintenance violations for the property located at 3 Hawthorne Drive by Trustee Feldman, seconded by Deputy Mayor Weiss. 5Ayes, Mayor Kalaj, Abraham Weiss Deputy Mayor, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (154)** - *Resolution of the Village Board of the Village of South Blooming Grove Adopting the Water, Sewer and General Annual Budget for the Village's 2022 Fiscal Year by Trustee Rosner, seconded by Deputy Mayor Weiss. 5Ayes, Mayor Kalaj, Abraham Weiss Deputy Mayor, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- A **motion** was made to close the Village of South Blooming Grove 2022 Budget Public Hearing by Mayor Kalaj, seconded by Trustee Guttman. *5Ayes, Mayor Kalaj, Abraham Weiss Deputy Mayor, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (155)** - *Resolution of the Village Board of the Village of South Blooming Grove Amending the annual budget appropriations for the Village's 2020 Fiscal Year by Mayor Kalaj, seconded by Trustee Rosner. 5Ayes, Mayor Kalaj, Abraham Weiss Deputy Mayor, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- **Resolution No. (156)** - *Resolution of the Village Board of the Village of South Blooming Grove Adopting local law No.3 of 2021 to override the tax levy limit established in general Municipal Law~3-c by Trustee Kalaj, seconded by Trustee Guttman. 5Ayes, Mayor Kalaj, Abraham Weiss Deputy Mayor, Trustee Feldman, Trustee Guttman and Trustee Rosner.*

➤ **Abstract**

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

➤ **Executive Session**

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- Mayor Kalaj made a motion to enter into executive session at 9:20 pm., seconded by Trustee Guttman. *5Ayes, Mayor Kalaj, Abraham Weiss Deputy Mayor, Trustee Feldman, Trustee Guttman and Trustee Rosner.*
- Motion to exit executive session at 9:26 pm by Mayor Kalaj, seconded by Trustee Feldman. *5Ayes, Mayor Kalaj, Abraham Weiss Deputy Mayor, Trustee Feldman, Trustee Guttman and Trustee Rosner.*

➤ **Discussion**

- Mr. Ekstein announced with Chanukah approaching as well as all the other holidays, happy holidays and be safe.
- The Mayor wished a Happy Chanukah to all the residents.

➤ **Adjournment**

- Motion to close the meeting at 9:31 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