

October 26, 2021 Public Hearing

Mayor Tursi stated that it has come to his attention that a rumor has been circulating around town that this Village Board is selling out to the Jewish community nothing is farther from the truth than that. No background deals are going on here. This village board has been nothing but transparent with this village. I find it insulting that that is even out there. And at the last meeting, this board was accused of committing genocide, called racists, and quite other insulting things. The village attorney was insulted as well. I have a list of towns he has represented, such as Suffern, Lake Placid, Scarsdale, etc. I can go on. This is one of the best land use attorney in the state, if not the country. Attorney Rice also represented in New Mexico, Pennsylvania, Tennessee. Not just the county. So to be insulted like that in this meeting, I can't accept it and won't accept it. To be told that having a community steal your land, well let me tell you something the Split Rock property up there, who do you think brought that up to the Sewer Commissioner? I did, I helped preserve that land, I took it to the county executive, I took it to the county legislators, and we got it saved but that wasn't mentioned though, was it. That's stealing land? (Dwaine Perry (13 Boulder Avenue), raised his hand) Mayor Tursi said this is not open for public comments, Dwaine. I'm talking right now. I'm talking, Dwaine.

Dwaine Perry (13 Boulder Ave) stated: that's an incorrect statement

Mayor Tursi asked what incorrect statement am I making, Dwaine.

Am I committing genocide?

-Trustee Tarantino indicated it's not public comments, he is speaking-(referring to Mayor Tursi talking).

-Mayor Tursi requested Dwaine Perry to explain himself.

-Dwaine Perry said that those things could be viewed as, not that Mayor Tursi was a racist.

-Mayor Tursi responded that he could show Dwaine Perry the video that will confirm that he indeed said that Mayor Tursi was a racist.

-Dwaine Perry added that those policies could be viewed as racist.

-Mayor Tursi said that for the record, Dwaine Perry's request on having an outside counselor to review everything will be arranged.

-Dwaine Perry stated that Mayor Tursi should do what is generally done- referring to holding an open meeting in the Community Room, where the whole community could attend to hear the issues.

-Mayor Tursi said that this is a Public Hearing. All Public Hearings are publicized on the Journal News, Internet, Village of Hillburn's website, posted on the Post Office, Facebook Page, etc.

-Dwaine Perry said that was being disingenuous because of how many senior citizens don't have access to it.

- Cathy Tursi (28 Terrace Avenue) asked what would be the difference between having a public hearing here or across the street. Isn't it the same thing?

-Dwaine Perry responded we could have the whole community there.

-Trustee Tarantino asked where was the whole community tonight. We are doing another Public Hearing.

-Dwaine Perry responded wouldn't you want the involvement of everyone?

- Mayor Tursi stated this is the third or fourth public hearing.

-Dwaine Perry said that the Community Room would hold 50 to 100 people. This is something that affects the whole community. They may be 100 percent supportive of what you are doing, or they may not. People can ask questions.

-Mayor Tursi stated that Public Hearings are always held here (Mary Boone's Meeting), and not until the last meeting has anyone been here.

-Cathy Tursi questioned if the Village Board does anything different from any other Mayor

-Trustee Tarantino stated the Village Board does more than it is required.

-Attorney Rice asked if he could interject, and stated since people are questioning whether, or not this is necessary and the County suggested various changes that the Planner is making. People are aware of this and it's not a secret, my suggestion is to adjourn the hearing to the next village board meeting. In the meantime, to have a level of comfort, the Village Board can contract another attorney to review this.

Bonnie Franson is making amendments that are minor technical things that the County Department of

Planning suggested. Once her revised revisions and opinions from another attorney, it would be more fruitful to continue with the public hearing, than debating whether people knew about it.

-Dwayne Perry questioned if an independent attorney can take a look at it?

-Mayor Tursi said that is what is being suggested, by Attorney Rice, getting an outside firm.

Attorney Rice said adjourned to a month so everything needed is in.

-Rogers Garey (17 Hickory Avenue) questioned what would be the percent tax-exempt of a partial house of worship.

-Mayor Tursi responded it would be on the square footage of a house.

-Attorney Rice answered that this has no bearing on the zone, but Scott Shedler would have a better idea, although he believed it would be dependent on the footage of the house.

-Mayor Tursi added that if 20% percent of the house is being used as a house of worship, then that percentage would be tax-exempt, leave your information, and you will be contacted.

-Rogers Garey said this is required by Federal law, that if one room is used for a religious room, that is already in the law.

-Mayor Tursi replied it cannot be stopped by the village.

-Rogers Garey said what we are doing is setting up some boundaries and restrictions on that use because otherwise if they do it and you take them to court to prove that they have exceeded the restrictions that aren't in place, if you don't pass these laws (Local Law 5 of 2021).

Mayor Tursi said that the churches, such as Brook Church, Lighthouse Worship, were grandfathered and received a whole exemption because they are pre-existing and a house of worship. What is being done in this case is that, a portion of a one-family detached residence used exclusively for the conduct of organized religious services. No school or outside catering is permitted. At least 75% of the membership must live within a three-quarter (3/4) mile radius of the neighborhood place of worship.

Mayor Tursi read aloud the portion of Introductory Local Law No. 5, Section 3. Section 250-3 of the Code of the Village of Hillburn that defines School of General or Religious Instruction, and he also read School of Special Instruction.

SCHOOL OF GENERAL OR RELIGIOUS INSTRUCTION - Any secular or religious public or private educational institution offering courses in general or religious instruction at least five days per week and seven months per year. Specifically excluded from this definition is a school of special instruction.

SCHOOL OF SPECIAL INSTRUCTION - Any private, for-profit educational institution, which is neither a school of general or religious instruction, offering a regularly scheduled curriculum teaching technical skills, trades, arts or other similar specialized or vocational study, such as a driving school or a cosmetology school.

Mayor Tursi said that the mentioned above would require Planning Board approval and be limited to a certain area. Mayor Tursi added that anybody can come and legally put a house of worship open to the public and a school because there are no restrictions on it right now. We are trying to designate an area to have it, but instead, we are being told, that we are selling out.

Motioned to adjourn: to the Community Room November 16, 7:30 By Bernadette Tarantino