

# Goldy Spitzer

6/21/2015

To: the Village of Kiryas Joel and the Monroe Town board And Tim Miller associates

I read about the Public Hearing for the 507 Acre annexation on June 10<sup>th</sup> and I heard about a continues argument from the opponents to the annexation that Hassidic Orthodox Jews are welcome to join all New York citizens and live anywhere in Orange County, so therefore there is no need to have more land annexed to Kiryas Joel to get new housing that serves the needs of the Hassidic community because they will be fairly served and treated with housing and accommodations according to their religious needs in every area in Orange County.

Please read the attached articles of a prominent Jewish newspaper These articles show a clear direct pattern of local boards and communities using local laws to discriminate against Orthodox Jews, and that the Orthodox-Jews are not welcome at all in other municipalities in NYS, the history of these communities are enough reasons to vote for our religious freedom to survive and for you to vote YES to allow the orthodox Jewish people to live with freedom at a minimum in Kiryas Joel.

I urge you to please vote yes to approve the annexation, please vote YES on the 507 Acres, because we live in the United States and we are allowed to practice our religion in the USA, and we are being blocked and un-welcomed in so many other NY communities, please let us have a place where we are fully welcome and a place we can call it home.

Please include my letter together with its 4 articles as exhibits as part of the annexation record.

Thanks in advance.

Goldy Spitzer



# The of **NEW FACE** Anti-Semitism

## PART I

This is an investigative report that will appear in two parts. This part focuses on the story behind the efforts of Kiryas Joel to build a water pipeline and Orange County's efforts to stop it. The second article, which will be published after Pesach, will examine disputes other than the case of Kiryas Joel, involving zoning laws and ordinances which impede the building of shuls, the setting up of *eruv*s, and the development of yeshivos, dormitories, and *bikur cholim* apartments.

By Eli Simon



Every now and then you hear about anti-Semitism in America. A swastika painted on a row of cars. A dirty look, a spit on the ground, a vehement curse aimed directly at the Jews. It hurts, but you move on because you attribute it to a loner who seeks attention or a lunatic who has grandiose ideas about becoming a Ku Klux Klan member.

We live in a country in which civil rights are sacrosanct, a country filled with freedom and opportunity, a country that does not tolerate institutionalized anti-Semitism. But at times, isolated bigots have a way of seriously affecting the life of an Orthodox Jew. These bigots know they can't maim or injure you, but they realize that they can gather enough momentum to enact laws and local ordinances that can harass, intimidate, and financially drain you.

Fortunately, segregation and designated ghettos are outlawed today; aside from civil rights laws, minorities in America are expected to assimilate and aspire to live the American dream. For the average white American, that dream is to move to a sprawling house in the suburbs with a swimming pool, a state-of-the-art grill, a two-acre yard, and a three-car garage. However, not everyone living in the idyllic setting of suburbia shares that goal. And when aspirations are different, there is a culture clash that is explosive at best and ugly at worst.

### **The Growth of Kiryas Joel**

Travel seventy miles north of New York City to the Village of Kiryas Joel ("KJ"), built in 1974, by the Satmar Rebbe Grand Rabbi Joel Teitelbaum, *zt"l*. KJ began with fourteen Satmar families and currently houses approximately 22,000 residents, all living within a 1.1-square mile area.

Abraham Wieder has been KJ's mayor since 1990, and Gedalye Szegedin has been the village administrator and clerk since 1991. Both Mayor Wieder and Gedalye Szegedin are key figures in the village's development. Kiryas Joel is in the Town of Monroe, and both the Town of Monroe and the Village of KJ are under the jurisdiction of Orange County. Most of the villages in Orange County are smaller than KJ in population but larger in area.

While KJ's accelerating growth is a testament to Jewish resilience and entrepreneurship, many of the people of South Orange County, who live in the villages and towns surrounding KJ, resent

its growth and see it as an encroachment that must be stopped.

"The dynamic growth rate has pretty much spooked the surrounding communities," said David Church, the planning commissioner of Orange County. What the typical KJ neighbor is "spooked" about is that before he knows it, chassidim may be living next door to him in a multi-unit complex, causing his property value to fall. There are several layers of fear in that statement: the fear that KJ's growth will destroy the area's rural character; the fear that the neighboring homes will decrease in value; and the fear that the chassidim will be their next-door neighbors.

"I will grant there are substantial and legitimate growth and development issues," said Douglas Cunningham, an editor for the *Times Herald-Record*, in an opinion piece. "But I think there is anti-Semitism at work too. It is apparently easy to dislike those who live in Kiryas Joel. They dress differently. They have little interaction with other communities. They

have large families. Much of their housing is apartments or townhouses, multiple-family housing akin to that of more urban areas. Even worse, they are politically astute and powerful, and are not afraid to use this power. And worst of all, they want their village to grow to accommodate more people. And these are sins?"

In the same vein, Peter Applebome of *The New York Times* writes, "Watching the events unfold here doesn't leave a clear picture of how much of the hysteria has to do with growth and land use and how much has to do with who is growing and using the land."

One can understand the residents' desire to maintain the character and value of the place. But when communities engage in an all-out war that even the *Times Herald-Record*, the county's main regional newspaper, describes as "troops amassing" in a "battle," there must be something other than a fierce attachment to the rural landscape that is at stake. And that is anti-Orthodox sentiment.

The multi-dwelling complexes of Kiryas Joel that Orange County residents oppose.



## The Stalling Process

KJ's neighbors know that there is no way they can control its growth, and they also know that they can't control its zoning laws since a village has the ultimate power to decide what type of property can be built within its boundaries. But community leaders such as the late Spencer McLaughlin, an Orange County legislator and a former deputy executive director of the New York City Human Rights Commission, realized that the growth of KJ could be stunted by cutting off its water supply and sewage treatment.

You would think that an inflammatory idea such as depriving a community of water to squash its growth would be kept private. On the contrary, in an opinion piece in the *Times Herald-Record*, Spencer McLaughlin, declared: "The village has become a Goliath in our midst and to continue to grow, the community needs raw land and enough water. Just about built out—even under that village's non-zoned, multi-storied, downtown Brooklyn mentality—it's like a fire that has burned itself out, consuming the combustible fuel of open space and environmentally necessary oxygen. Kiryas Joel's oxygen is water, and there's just no more left for the village to suck out of the ground. The village has suckled its underground

supply to death, as well as its neighbors ... No oxygen, no fuel equals no fire."

Ironically, McLaughlin wrote this letter to the *Times Herald-Record* to explain why he is not an anti-Semite. However, his virulent tirade suggested just the opposite. As a legislator, he was able to influence Orange County voters to the extent that residents who weren't decided one way or another joined in the county's mighty efforts to stop KJ's water supply.

McLaughlin had a history of trying to stifle KJ's growth. In 1995 he was the chairman of the County Sewer Committee and tried to prevent the construction of a desperately needed sewage facility. Without more sewage treatment, new housing couldn't be approved, and as a result, KJ was suffering from a housing crisis. In response, the village innovatively proposed to build its own sewage plant. McLaughlin was "adamantly opposed" to the construction of a plant, calling it a "theocentric sewer plant." Once again, McLaughlin wrote furiously to Roberta Murphy, a county legislator:

"To tell me and my neighbors that I not only have to stand by and watch our communities being eaten up but have to help pay for the building of a theocentric sewer plant which will help the process occur, I do

get emotional. My answer to you [as to the sewer plant] now and forever is no."

Despite many obstacles, KJ was subsequently able to construct its plant and share it with the other towns and villages in the county, but McLaughlin, in 1995, essentially had already conveyed his aversion to a "theocentric" village called Kiryas Joel.

## The Pipeline, the Hearings, and the Ruckus

In 1999, Orange County experienced a severe drought when its exclusive source of water, groundwater wells, began to dry up. In New York City people have no concept of what it means to have no water, but communities in upstate New York have to contend with this issue often. It is especially difficult before Yom Tov, when KJ, at times, has had to truck in water.

Environmental studies have shown that one of the main reasons groundwater wells dry up is the accumulation of minerals in the wells' veins. Yet Michael Amo, an Orange County legislator, recalled that "the villages were quick to blame KJ." Of course, it was KJ's highly dense population that was sapping the water out of the wells, leaving the rest of the county with nothing.

Subsequently, the Orange County Water Authority found that it was not KJ's fault. On the contrary, while an individual in KJ uses fifty gallons of water per person per day, a typical resident of Orange County uses eighty gallons a day, a number that reflects the fact that KJ's neighbors need more water

for their pools and large lawns.

Regardless of where the blame lies for

(Right) Map of the proposed pipeline route

(Below) The proposed pipeline.



Photo Credit: Times Herald-Record

the water shortage, the Water Authority urged the county to find alternate sources for water because the wells were bound to lose even more capacity over time. The single legislative entity that found a solution to this problem was KJ.

In 2000, KJ proposed building a thirteen-mile linear transmission pipeline between the village and the aqueduct in New Windsor, to tap into New York City's Catskill Aqueduct. KJ and municipalities in Orange County are statutorily permitted to tap into New York City's water supply.

Gedalye Szegegin, an innovative and forward-thinking leader in KJ and the mastermind and architect of the plan, thought the pipeline was a panacea, a resolution that would benefit the entire county. After all, KJ would stop using groundwater wells as its source for water, and more water would be available in the aquifer for KJ's neighbors. It seemed like an ideal plan.

Nonetheless, what seemed to be a good idea turned into a difficult legal battle. During public hearings, participants fiercely opposed the pipeline because that would mean the county was endorsing KJ's growth when Orange County residents were thinking of ways to shrink it. At the first hearing, the atmosphere in the room was charged. Robert Lawrence of the Hudson Valley Realty Group described the hearing "as crammed with people, many holding big signs with the words 'Down with the Pipeline.'"

Moreover, he recalled, "When I tried to defend KJ's pipeline proposal on the podium, a legislator pointed her finger at me and in front of everyone said, 'You cannot be trusted because you do business with the rest of them.' Not only that, but at one of the subsequent hearings, I was literally shoved and knocked down when I defended the Jews

from what I see as economic terrorism."

Had the neighboring municipalities been practical, they would have welcomed the idea of the pipeline, or at the very least realized that once all the procedural matters were cleared, there was really not much they could do to prevent its installation.

Additionally, any lawyer—and there are a quite a few who reside in the county—would know that the effort to block growth by stalling the water project was futile. The Equal Protection Clause of the United States Constitution is often evoked when a government entity treats one group differently from other groups, and in this instance, other towns in

Orange County, such as Newburgh, New Windsor, and the Village of Cornwall-on-Hudson, had already tapped into the aqueduct. The only thing opponents of the pipeline could do was stall the project in the hope that KJ would give up its plan. And stall they did.

**McLaughlin and Company**

Not everyone opposed the pipeline, but a few hotheaded anti-Semitic legislators were able to ignite the crowd, creating a fiery opposition. Orange County legislators were now faced with angry constituents who were bent on stopping the pipeline. And like many politicians influenced by their constituents' demands, the leaders of the legislative body acquiesced.

Just when KJ thought that Orange County would agree to the proposal, Orange County sued KJ in New York State Court. The county argued that KJ did not comply with SEQRA (the State Environmental Quality

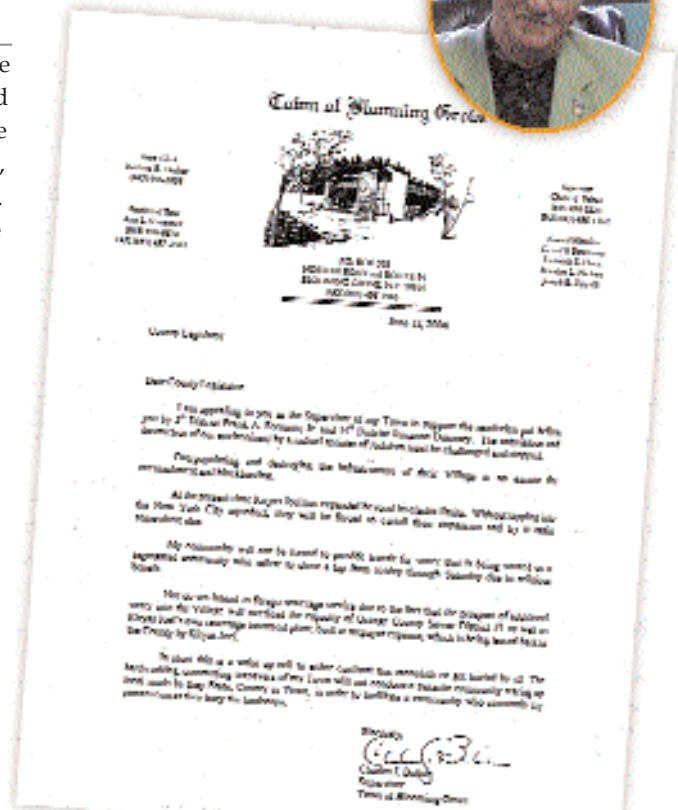
Review Act), a law that required KJ to review the impact the proposed pipeline would have on the environment. KJ did complete an Environmental Impact Statement but the county believed that it was not sufficient because, among other points, it did not address the issue of sewage. According to the county, it could not handle an increase in KJ's water supply because the county did not have adequate sewage facilities to drain the influx of water.

Spencer McLaughlin wasn't the only leader in this flurry of litigation. Meet Charlie Bohan, the Town of Blooming Grove's supervisor, a former New York City firefighter, a father, a grandfather, and a community activist. Bohan is also a man who has no misgivings and makes no effort to hide his views. According to the *Time Herald-Record*, he has called the Orthodox Jewish leadership of KJ "cheats" and "liars," and he sent a letter to Orange County legislators calling KJ a "radical splinter of Judaism."

(Right) Supervisor Charles Bohan  
(Below) A letter from Charles Bohan to the County Legislator



A banner protesting the pipeline



In that same letter, Bohan went so far as to claim that KJ residents would use all of the county's water because they "refuse to close the tap from Friday through Saturday," and he warned that he would not "condone a parasite community tearing up local roads, be they state, county, or town, in order to facilitate a community who constantly cry persecution as they bury the landscape."

After the *Times Herald-Record* reprimanded Bohan for his attack on KJ, Bohan accused the village of "threatening to smother the diverse lifestyle of the region."

In January 2010 Charlie Bohan retired from his position as Blooming Grove Supervisor after four consecutive terms. In reaction to Bohan's departure, Michele Murphy, an activist in the area, told the *Times Herald-Record*, "There were two sides to it; some people thought of him as a racist, but others [claimed that] he says exactly what everybody feels but are too afraid to say."

Actually, some aren't so afraid to speak as long as they remain anonymous. An online petition posted by the Concerned Citizens of Blooming Grove generated comments such as the following:

"You are pushing the *tolerance* of non-Jews to the limit. *Beware of the consequences* [emphasis in original]!"

"Enough with these people."

"If this project does get approved, I will personally contaminate the pipeline

with ACID so they all shrivel up and burn from the inside out. Rotten rotten people they are."

"They don't need water, they don't shower (hint, they stink). I am tired of looking at their curls—someone should cut them."

"The Hassidics [sic] have a track record for being con artists, scammers, thieves and generally filthy people ... we should drive them back to Brooklyn."

Aside from these blatant examples of anti-Semitism, there were numerous instances of subtle anti-Orthodox sentiment. One news reporter recalled an Orange County legislator giving him a tour of KJ. He said he cringed when he heard the legislator describing KJ residents as "those people," as though they were a group he generally wouldn't deign to discuss. Another legislator recalled a colleague introducing him to KJ as "though they were poor little urchins who were to be pitied—little did I know how far that was from the truth."

### The Aftereffects

There has been no poll on how many Orange County residents dislike Jews. Regardless of numbers, KJ residents feel anti-Semitism in a very real, concrete way. One woman, who lives in KJ and wishes to remain anonymous, says that when she waits on line in Wal-Mart, "I get dirty looks, and they will begin talking right in front of my face about how the area is changing. It's as though I am invisible. When there is a hearing or

an issue brewing, my friends and I are afraid to go out to the shopping centers at night because you feel the hatred in the air."

Another resident describes "feeling terrorized. We get spit on at the gas station and I get cursed at." It may be a few rabble-rousers, but they are leaving a significant mark.

A Brooklyn resident described her attempts to find the community of KJ. In response to her asking for directions, the people at the area's gas stations and convenience stores said they never heard of the village. "It was as though to them KJ did not exist at all. The minute I mentioned KJ, they just said, 'Sorry, I don't know,' and that is where the conversation ended.

"Later, when I finally found the place, I realized that it was impossible that they didn't know that KJ was just a mile up the road."

There might only be a few rabble-rousers, but the general negative attitude is transmitted by too many others.

### The Courts' Rulings

The New York State Supreme Court ruled that KJ had to do more research on the environmental impact the proposed pipeline would have on the environment; the main issue was how sewage would be affected by the increased use of water. KJ appealed the decision to the New York State Appellate Division, which accepted KJ's first environmental review but ordered the

The Village of Kiryas Joel's current sewage plant



village to amend it with more research on the issue of sewage.

When KJ could not build the pipeline, residents of South Orange County were thrilled. They believed that this was the first step in stopping KJ's rapid growth. Indeed, Jonathan Swiller, of SOCA, the Southern Orange County Alliance, whose motto was "Not One Inch" (for KJ), remarked that the Appellate Division decision was a "gift from the late Spencer McLaughlin ... to make sure that the rules are followed and to protect the environment."

### The Plan That Didn't Work

When KJ studied the effects of the pipeline on the sewage plant, it learned that Orange County's sense of victory would be short-lived. In 1999, in a case brought by Orange Environment, the Federal Court ordered the county to expand its sewage facilities located in Harriman because the county is legally mandated to provide adequate sewage facilities to Sewer District I. This district is comprised of the Town of Monroe and the three villages in Monroe – Harriman, Monroe, and KJ.

In accordance with that decision, the county agreed to a \$26-million expansion of the sewage plant. However, instead of ensuring that all communities in Sewer District I would receive adequate sewage treatment, the county went ahead and sold capacity in the sewer plant to Moodna communities—areas outside Sewer District I. The county thought it could have it both ways—increase its sewage facilities and sell parts of them, while withholding space from KJ. It could not.

KJ sued the county, arguing that the county could not maintain that there wasn't enough sewage capacity for KJ in its facility when it was selling off space to communities for whom it was not

responsible. KJ won the lawsuit, and the State Supreme Court enjoined the county from the sale of any sewage capacity to municipalities outside Sewer District I, including Woodbury.

That left Orange County in a bind. On the one hand, the injunction became a serious financial drain, because the county could not sell sewage capacity to prospective realtors who wanted



A newspaper headline incites local residents

adequate services for their developments. Woodbury was also suffering because although it had an adequate water supply, it did not have enough sewage capacity and could not obtain more. On the other hand, lifting the injunction would mean that it would have to allow KJ to go ahead with the water proposal.

For about two years, the county refused to budge from its self-defeating position. The county was stuck on the notion that somehow KJ's lack of water and sewage would actually get its residents to pack their bags and leave, or at least force newly married couples to move back to Brooklyn.

### The Incorporation of Villages

Another tactic in the plan to stop KJ's growth was the incorporation of villages. To understand the process and the reason for the incorporation of villages, one must understand the provision of New York Municipal Home Rule Law. Under New York law, villages are granted broad powers enabling them to adopt zoning laws, provide services to their residents, and regulate the quality of life in their jurisdictions. If five hundred people living in close proximity in a town join forces and sign a petition for incorporation as a village, they may be able to restrict who they want residing in their vicinity.

In 2004, in the midst of all the pipeline debates, the local media created panic among Southern Orange County residents by proclaiming in big, bold headlines, "ANOTHER KJ IN THE MAKING." One would have thought that a homeless shelter or prison was going to be built next door to their sprawling rural enclaves. That wasn't the case; it was a notice to the towns that surround KJ, Blooming Grove, and Woodbury that the chassidim were infiltrating.

People panicked. Residents of the Town of Woodbury, by a ratio of three to one, voted to incorporate almost all of the Town of Woodbury into a village. Only a month and a half before Woodbury became a village, South Blooming Grove was incorporated as a village as well. This meant that a large group of residents thought the additional layer of village taxes, other than the town and county taxes they were already paying, was well worth the effort of ensuring that KJ would not grow. As one woman explained to the *Times Herald-Record*, "I'm not supposed to say it, I guess, but [it's] the overrunning of Hassidic Jews."

Clearly, this was an all-out war against the residents of KJ. What is so unfortunate about this needless battle is that a village can't really stop the expansion of a neighboring village. It can delay, it can stall; but at the end of the day, the judicial system is meant to restore balance and justice in the system, and the expansion will take place one way or another.

### The Settlement

The court's decision in the Harriman sewage facility case, hurt the county deeply. After all, it couldn't sell its extra sewage rights, as per the court order and, it couldn't finalize the sale of a 258-acre Camp La Guardia property to a developer whose plans depended on receiving sewage treatment from the Harriman plant.

Meanwhile, KJ could not proceed with efforts to stop the water shortage, and it was wasting valuable time. Yet Southern Orange County residents were not giving up, and support grew for another lawsuit against KJ's pipeline plans. Once again, at public hearings many spoke of the impact the pipeline would have on growth in KJ and

complained of KJ's political clout and its success in securing public grants. Even though the village issued an "amended findings statement" in March to move the proposal along, the county found that the amended findings did not comply with the environmental review law. On July 30, 2009, Orange County sued again.

About six weeks later, despite the ensuing litigation, county leaders began to negotiate a settlement. It is not particularly clear what precipitated this change when the settlement should have occurred long before. It could have been the inability to sell Camp La Guardia because of the property's lack of sewage, and the ensuing financial strain.

Whatever it was, on February 21, 2010,

## But why are we being like second class citizens?



KJ's two water tanks (when under construction), which aid the groundwater wells in dealing with peak and off-peak demand.

Orange County agreed to provide KJ with sewage services that would accommodate the influx of water from the proposed pipeline, and KJ agreed to prepare a county-approved protocol for the management of construction along roadways during the installation of the pipeline. Everything was right back to where it had all started in 2000—except that the county had frittered away time and taxpayers' money, with absolutely nothing to show for it. As of now, the battle is over and the county cannot claim victory.

One would think that upon hearing of the settlement, KJ residents would be ecstatic. They are not—because they are exhausted.

One KJ resident asked, "So we have a settlement. But why are we being treated like second-class citizens? Are we taking anything away from anybody? Why don't they just leave us alone?"

### "Why Don't They Leave Us Alone?"

There is an array of answers to this question. Speak to a resident of South Orange County and you will hear that KJ is congesting the area with traffic; that it does not contribute economically because it has its own stores; that it is creating a city in a rural area.

The notion that KJ's growth has caused an increase in traffic is untrue. Actually, from the perspective of land planners and environmentalists, the village of KJ is preferred because it has a dense population living within a small area and it is pedestrian-focused. KJ is a community in which only 1,500 of the 22,000 residents drive and most people get around on foot. Although traffic in South Orange County has increased, that is attributable to the revitalized shopping centers, such as Woodbury

Common and Wal-Mart. David Church, Orange County's planning commissioner, notes that KJ "is environmentally superior to the sprawl that surrounds it."

Regarding the argument that KJ does not contribute economically to the neighboring communities, Ari Felberman, the Kiryas Joel government relations coordinator, points out that a large percentage of staff members at KJ's health-care centers and special-education schools are drawn from the surrounding villages. While KJ has its own stores, most of them cater specifically to the culturally sensitive needs of the community; it has kosher supermarkets, hardware stores with *mikva'os*, and toy stores that don't carry the latest icon dolls. Moreover, KJ



residents do not hesitate to shop in stores and markets in Southern Orange County. They are, and always have been, good customers.

Then there is the issue of KJ destroying the rural quality of the town. The residents who are concerned about this argue that they are not anti-Semites. Indeed, one resident who wished to remain anonymous pointed out that all her best friends are Jewish but that didn't change the fact that KJ "was going to make Woodbury look like Brooklyn and devalue a house I put a lot of money into."

However, this trend isn't specific to Orange County alone. The urbanization of suburbs is a process that has occurred throughout the United States. In fact, Newburgh, in Orange County, the same county that criticizes KJ, is a city in the midst of a very rural area. It is a process that cannot be legally reversed or choked.

Unlike the typical city, KJ has an almost nonexistent crime rate. It does not use taxpayer funds but rather supports its own education system, and it pays annual property taxes in excess of a million dollars to the Town of Monroe. The village is a far cry from Brooklyn and a far cry

from many other urban-like developments growing in rural areas.

Nonetheless, South Orange County is blind to that.

### Lessons to Be Learned

Michael Amo has urged neighboring towns to learn from KJ. The attitude that anything KJ does must be stopped at all costs is a mentality that is self-destructive.

Kiryas Joel is based on "90% hard work and brains," says Amo. He referred to KJ's hiring of seventy people during the 2000 Census to make sure that all residents of KJ would fill out their forms. Based on the information in the census, KJ received grants for the creation of state-of-the-art health-care facilities, security, sidewalks, and public transportation. Indeed, there are neighboring residents who use KJ's Hatzolah and health-care facilities because they know how quick and sophisticated their medical services are.

Some neighboring communities wonder why they didn't receive the grants. Amo says the simple answer is "because they didn't apply." Still, many

hate KJ for it.

Douglas Cunningham, in his column in the *Times Herald-Record*, excoriated the residents of Southern Orange County, writing that what they want KJ to do is "stay within Kiryas Joel, abandon all thoughts of growth or movement, and willingly accept the barbed wire the rest of us ever-so-tolerant citizens will string around the outside. November 1938, anyone?"

We have a democratic system that is doing its very best to ensure that 1938 will not happen here in the United States. But the judicial process is exhausting and anti-Semitism is humiliating. "[KJ has] built a beautiful community," said former congressman Benjamin Gilman, who represented KJ for twenty-six years and remembers it as a very small village when it was incorporated in 1977.

After all that hard work, KJ residents have no plans to leave. The hope is that even though there will always be those who hate Jews, for the most part, KJ and its neighbors will figure out a way of co-existing, as long as there is a "good fence" between them—because, as they say, good fences makes good neighbors. ■

Aishes Chayil Women's Relief Center in KJ.





# The **NEW FA** of Anti-Service

By Eli Simon





# FACE tism

P A R T II



**H**amodia's Pesach edition explored Orange County's attempts to stop Kiryas Joel's plan to build a water pipeline, in an effort to discourage Orthodox growth. In February, the dispute between the Village of Kiryas Joel (KJ) and Orange County seemed to be over as the parties reached a court-ordered settlement, which allowed KJ to build a pipeline that would tap into the Catskill Aqueduct. Fast-forward seven months and the matter is once again in the mire of the court system. Despite the agreement between Orange County and KJ, the Town of Woodbury and the Villages of Woodbury and Harriman are seeking to set aside the court-ordered settlement and to keep KJ from moving forward with the pipeline.

Mr. Michael Sterthous, the attorney representing KJ, notes that the "the claim is baseless" as Kiryas Joel and Orange County stipulated to dismiss the case with prejudice — in effect, barring the issue from future litigation. As unfounded as the case may be, KJ still has to expend large amounts of money, time, and effort to defend itself. While the plaintiff's case is weak, they have nonetheless managed to harass KJ and to delay the project. And so the saga continues.

Our intention is not to continue analyzing the matter of KJ's pipeline. Instead, this article focuses on other cases involving discriminatory zoning laws and ordinances that were enacted to curtail Orthodox growth. These cases also highlight the fact that from the perspective of the secular world, Orthodox Jews are all the same, whether they are Chassidic, Yeshivish or Modern Orthodox.

## Kiryas Joel Is Not Alone

As an Orthodox Jew living in New York City, it was difficult for me to truly empathize with the frustration and humiliation KJ residents feel. Perhaps that is because people living in New York are so accustomed to the multiplicity of ethnic groups living within the 304-square-mile radius of the city. Perhaps it simply reflects the genuine acceptance and tolerance of the typical cosmopolitan New Yorker. Whatever the reason, many of New York's Orthodox Jews are able to walk around in *shtreimlach* and long woolen coats in the blazing summer heat, and still feel remarkably normal.

KJ's legal woes might allow you to believe that religious Jews begin to feel different the farther you go from New York City. The thought is that anti-Semitism is much more prevalent in rural areas, precisely those rural areas that are becoming more suburban, as in Monroe.

But a brief survey of other federal cases demonstrates that anti-Semitic attitudes are in no way limited to location and class. In fact, the burgeoning court record establishes that anti-Semitism, especially the sort that expresses itself in the fiery opposition to Jewish growth, is very much alive in the most cosmopolitan and upscale communities.

## Anti-Semitism and Anti-Orthodoxy

From time immemorial there has existed the repulsive notion that Jews try to manipulate the system, that they are liars, and that if a Jew has money he gained it through usury and greed. These stereotypical judgments abound in the arenas of religion, nationalism, politics and economics. They were popular throughout history, and in medieval and early modern times anti-Semitism was directed toward Orthodox Jews because then there was actually only one denomination among Jews.

With the rise of the Reform and Conservative movements, world Jewry was divided. As such, rabid anti-Semites, such as Hitler, could have differentiated among various types of Jews — the assimilated Jew, the traditional Jew and the Chassidic

Jew. But they didn't make these distinctions, because anti-Semitism has no boundaries. To the anti-Semite there is no reason for his or her hatred; there is only the notion that all Jews are ethnically repulsive. As such, Anthony Julius, a prolific author on the subject of anti-Semitism, aptly writes, "To study [anti-Semitism] is to immerse oneself in muck. Anti-Semitism is a sewer."

In America today, hatred toward Jews as a race isn't readily apparent. Those who hate Jews can't simply begin looting or rioting, and so they cloak their sentiments in anti-Zionist or militant rhetoric. But this does not apply to anti-Orthodox sentiments touted regularly and unabashedly by non-Jews and secular Jews alike. For some reason many secular Jews assert that discrimination against the Orthodox is self-inflicted because Orthodox Jews refuse to assimilate into the broader culture.

Ironically, the Amish and Mennonites are admired, even revered by some, for their choice to live separate and apart. This is not the case when it comes to Orthodox Jews. On the contrary, many non-Jews are puzzled by the gnawing question of why so many Jews they know are so "normal," unlike the Orthodox Jews, who seem "weird." In a similar vein, Ann G., a resident of Eastport, New York, told me, "I work with Orthodox Jews, I get along with Orthodox Jews, but I don't really get them," especially because, according to Ann, there are "so many good Jews I know who do not need to follow any strict rules."

As for secular Jews, many feel that Orthodox Jews are living under a code that is outdated. Interestingly, the very same liberal Jews who believe in acceptance and diversity when it comes to the rest of the world are now denying Orthodox Jews that same privilege.

In fact, the noted constitutional lawyer Mr. Nathan Lewin explains that while many discrimination cases against Jews are based on a lack of understanding among

non-Jews, a lot of the cases actually stem from actions initiated by secular Jews, and sometimes these are the cases that are the most virulent.

In KJ's case, which may be a prototype for other cases, most of the leaders opposing KJ's plans are non-Jews, and some have proven themselves to be incredibly anti-Semitic. Interestingly, these rabble-rousers who incite the Orange

County populace would consider themselves the least biased people on earth. Indeed, one of these leaders has adopted poverty-stricken children from the Dominican Republic. Yet when it comes to empathizing with the Orthodox community, there is an impenetrable wall that obstructs his ability to be objective.

Then there are those few leaders who argue that their motives cannot possibly be anti-Semitic since they are Jewish themselves. Indeed, one non-Jewish government official in Orange County noted that he couldn't help but question these leaders' opposition to Orthodox growth precisely because they are Jewish.

Other opponents argue that their opposition to Orthodox growth is not based on anti-Semitism at all. What they are upset about is the fact that the typical large Orthodox family will destroy the bucolic quality of the town. But the urbanization of suburbs and rural areas is a process that has occurred throughout the United States. As legitimate as the concern may be, it is a process that cannot be stemmed and in the long run a fight that cannot be won.

Certainly, there are different reasons for opposing the Orthodox presence in homogenous communities and not all of the outcry is scandalous. Nonetheless, Orthodox Jews still have to deal with the rejection of anti-Semites and secular Jews who are anti-Orthodox. What is so ironic is that the secular Jews, who bear this condescending attitude toward their brethren, forget that to anti-Semites all Jews are the same.



## Tenafly: A Modern Orthodox Community Seeks an Eruv

Tenafly, New Jersey, in Bergen County, is an affluent suburb of New York City that borders on Englewood and Bergenfield, near Teaneck. Englewood is a thriving Modern Orthodox community, and a small number of its Orthodox Jews moved north to the Borough of Tenafly, where they could enjoy the conveniences of Englewood's kosher shops, shuls and schools. To accommodate those who wanted to walk to shul on Shabbos, some Orthodox Jews in Tenafly asked the Borough of Tenafly for permission to erect an *eruv*, which would involve placing black plastic pipes on existing utility poles. The black pipes generally go unnoticed since they are enmeshed in an assortment of cable wires.

An *eruv* was proposed at the council meeting, and some Tenafly residents, most of whom happened to be secular Jews, vehemently opposed the proposition for fear that it would encourage more Orthodox Jews to move to Tenafly. Not only did they fear Orthodox Jewish neighbors, but one council member voiced his "serious concern" that ultra-Orthodox Jews might stone the cars that drive on Shabbos. It was also suggested that an *eruv* is an "optional" religious practice.

One would think that these comments would appear only in the context of a Chassidic community, where Jews have

*peyos* and long beards. Yet this occurred in a suburb very close to New York City, in an area of professional Orthodox Jews who mingle daily with the secular world and who are enthusiastic participants in secular educational settings. Nevertheless, the fear of Orthodox growth is palpable.

Tenafly government officials dragged their feet when it came to approving the application for an *eruv*. In response, the Tenafly Eruv Association (TEA) bypassed borough officials and applied directly to Bergen County officials for permission. When county officials gave them the authority to proceed, the TEA set up an *eruv*.

Tenafly's municipal government was not ready to give up, and soon after the *eruv* was built, the borough filed a lawsuit claiming that the *eruv* was a violation of local Ordinance 691, which barred the placement of any sign, advertisement, or other matter on any pole, tree, curbstone, or sidewalk in a public street or public place.

A series of lawsuits and countersuits followed, until the United States Third Circuit Court of Appeals found that the Borough of Tenafly was violating the plaintiff's Free Exercise Clause by selectively applying Ordinance 691 against conduct sincerely motivated by Orthodox Jewish beliefs and ignoring the ordinance when it came to house number signs and directional signs to churches.

The battle did not end there. The

Borough of Tenafly appealed to the Supreme Court. The Supreme Court refused to hear the case, but negotiations continued until 2006, when the Tenafly government was forced to pay more than \$300,000 in legal fees to the TEA.

Today Tenafly has a legal *eruv*, and contrary to what some residents feared, it remains a very small Jewish community. More importantly, the battle over the *eruv* set a legal precedent, as Mr. Chaim Book, one of the plaintiffs in the case against the Borough of Tenafly, explains: "[T]he Tenafly case made a real, positive contribution in that many Orthodox communities, such as Linden, New Jersey, have had no problem at all putting up an *eruv*."

## Westhampton Beach: Another Modern Orthodox Community Fighting for an Eruv

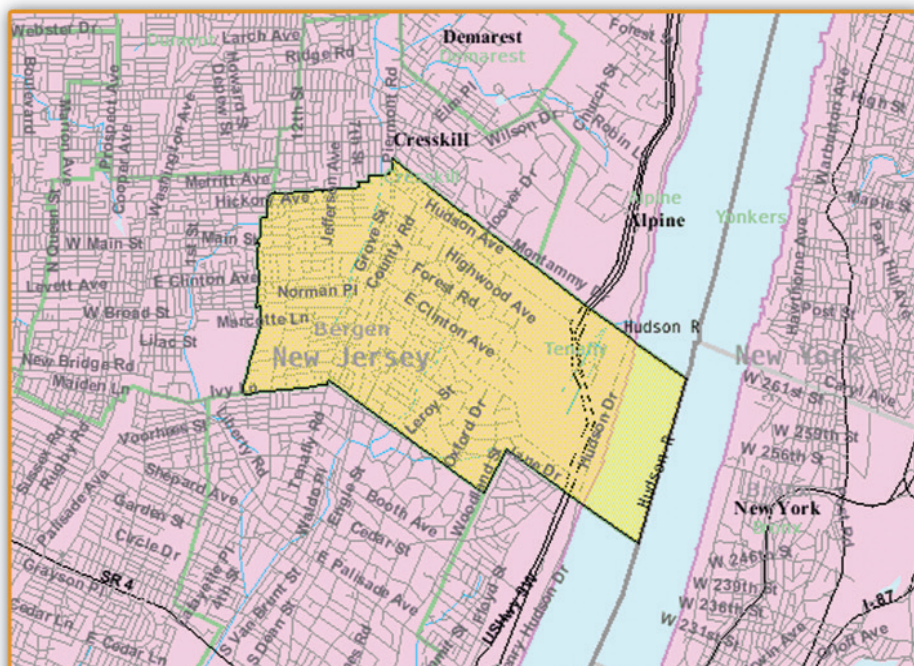
Mr. Book also noted that the Tenafly case has made "people aware of the issues." That may explain why, as of now, court proceedings have not begun in a similar controversy over an *eruv* in Westhampton Beach, a village in the Hamptons, an exclusive area of Long Island.

In Westhampton, secular Jews are the ones protesting an *eruv*. Once again, opponents fear that the Hamptons would become too Jewish, that the stores would have to be closed on Shabbos, that in no time this affluent community would be destroyed by the "ways" of the Orthodox.

As in Tenafly, residents of Westhampton do not have the *peyos* and beards that are pervasive in areas such as Monsey and Monroe. I spoke to a noted doctor, a summer resident of Westhampton (who wished to remain unnamed), about this and he said, "To the outside world we are all one and the same; they don't differentiate between types of *kippos*."

Other than the emotional component that propels the opposition, there are legal arguments for opposing the *eruv*. One of the claims is that an *eruv* would violate the Establishment Clause of the First Amendment since it would appear that a

Map of Tenafly, New Jersey.



government is endorsing a religion in preferential terms. But the court in the Tenafly case said that when the government approves an *eruv*, it is not endorsing a religion, only accommodating the religious customs of one group.

Opponents of the *eruv* in Westhampton assert that Tenafly doesn't apply to their case because they apply their ordinance barring signs on poles indiscriminately. However, it is still legally very difficult to find reasons to deny an *eruv*, especially when considering the Free Exercise Clause, the second part of the First Amendment, which states that Congress can make no law prohibiting the free exercise of religion. Additionally, civil rights cases apply a standard of "strict scrutiny," the most stringent standard of judicial review used by courts reviewing federal law.

Even so, Orthodox Jews in Westhampton are having a very difficult time obtaining permission for an *eruv* — to the extent that opponents urged Orthodox Jews to get volunteers to push their carriages rather than simply giving them the right to set up an *eruv*.

### Airmont: Trying to Control Who Comes In and Who Goes Out

The Village of Airmont, New York, in the Town of Ramapo, is a typical suburban neighborhood located three miles from Monsey. In the mid-1980s, local residents realized that Orthodox Jews were moving in, and they began to devise strategies to impede Orthodox growth.

In 1991, Airmont had about 9,500 residents, including 250 Orthodox Jews and many non-Orthodox Jews and non-Jews. To ensure that those ratios would not change, Airmont incorporated itself into a village so that strict zoning rules and ordinances could be created. Under New York State law, villages are granted broad powers to adopt zoning laws, to provide services to their residents, and to regulate the quality of life within their jurisdictions.

"As the religious population in Rockland County was growing, zoning rules were used to determine who comes in and

who comes out," explains Dennis Lynch, a defense attorney in the Airmont case. That was precisely where the problem began.

At the time of incorporation, Ramapo had a zoning code that allowed a place of worship to be built only on a lot at least two acres in size. However, there was also a provision in the code for "home professional offices" (HPOs), which in effect allowed for home synagogues (*shtieblach*) as long as the group in a home synagogue did not exceed forty-nine people.

Because the *frum* Airmont population was very small, it could not afford to build a large shul on a two-acre lot. *Shtieblach* were the only way the community could survive; but the groups of *frum* people going in and out of houses on Friday night and Shabbos was viewed by some Airmont residents as an invasion of sorts. To combat this

Black plastic pipes are typically placed on wires affixed to telephone poles to create an *eruv*.

**Is Westhampton Beach a Christian Community?**  
No. It is a secular, open Village with a proud history of welcoming All faiths. We would not want it to be consecrated as Christian ground. Nor would we want it to be defined as an Orthodox Jewish Community. The erection of an eruv will proclaim us as an Orthodox Jewish Community for all time.  
**Don't let it happen!**

**Is Westhampton Beach an Orthodox Jewish Community?**  
No. It is a secular, open Village with a proud history of welcoming All faiths. The erection of an eruv will proclaim us as an Orthodox Jewish Community for all time.  
**Don't let it happen!**

**Do you want Westhampton Beach to be proclaimed an Orthodox Jewish Community?**  
John Roland does  
Tim Laube does  
A vote for either of them is a vote for the eruv.  
**Don't let it happen!**

Paid for by:  
The Westhampton Beach Alliance for the Separation of Church & State.  
This Alliance is comprised of concerned citizens of all faiths who want to preserve the historic religious harmony of Westhampton Beach.  
Elf Phillips-Rentmeester, Craig Middleton  
as Co-Chairs

problem they formed the Airmont Civic Association (the ACA), a group that became an open forum for irrational outrage and anti-Semitic comments.

Some examples of statements made by residents of Airmont at an ACA meeting include:

“What would be better – for us to lose our homes for a religious sect, or for us to live as we have lived for the past twenty-five years?”

“Let the people in the unincorporated area of Ramapo go ahead and fight for what they believe in instead of giving up what we’ve worked very hard for to a bunch of people who insist on living in the past.”

Aside from the rants, the ACA went so far as to forcibly oppose and challenge applications for slight variances for the building of a shul. In one instance the ACA denied a permit to build a shul on a lot of 1.926 acres because it did not meet the two-acre criterion. Moreover, in an act of extreme

harassment, Raymond Montone and other residents of Airmont stood outside a *shtiebel* to count the arriving congregants and make sure the number did not exceed forty-nine.

The Village of Airmont’s plan was halted when the United States government stepped in. Otto Obermaier, the U. S. Attorney for the Southern District of New York, argued that the zoning plan intended to exclude Orthodox Jews from living in the village and that individuals had engaged in a pattern of harassment against Orthodox Jews in the village.

The U. S. government and individual plaintiffs – Rabbi Sternberg, Mrs. Chanie Sternberg, Fred Walfish, Lewis Kamen and Park Avenue Synagogue – sued Airmont and individual local residents and trustees of Airmont for violating their civil rights, including their First Amendment right to the free exercise of religion. While the district court found that the village did not

violate any of the plaintiffs’ rights, the United States Second Circuit Court of Appeals reversed the lower court’s decision and found that Airmont violated the civil rights of plaintiffs by halting the development of shuls and *shtieblach*.

There were many reasons for finding Airmont in violation of civil rights – among them the claim that the village was not applying its zoning rules on a consistent basis since churches were allowed to build on smaller lots and golf clubs were allowed to hold parties and cause dense traffic. The court found it unacceptable that the village was permitting other local constituents to violate its mantra of “preserving the residential character of the neighborhood” while barring the Orthodox community from violating any ordinance at all.

Indeed, selective enforcement of standards is precisely what discrimination is all about.

### Suffern: Opposing a Guesthouse But Forgetting About RLUIPA

The legal battle in Airmont preceded the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA), but the case of *Bikur Cholim of Rockland County v. The Village of Suffern* was made that much easier because it was able to rely on the RLUIPA statute.

RLUIPA is a United States federal law that prohibits a government from “implement[ing] a land-use regulation in a manner that imposes a substantial burden on the religious exercise of a person ... or institution, unless the government demonstrates that imposition of the burden on that person ... or institution is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.” This means that zoning laws intended to hinder the building of shuls or yeshivos would not be permitted unless the government brings a very compelling argument for why those zoning laws are needed.

Since 2006, Bikur Cholim of Rockland County has had to deal with neighbors’ complaints about the development of a guesthouse near Good Samaritan Hospital that offers relatives of patients a place to sleep on Shabbos. The neighbors protested the guesthouse, claiming that it defied a local ordinance that did not allow hotels in the area. They also argued that the guesthouse would increase traffic and make it more difficult to find parking.

Bikur Cholim explained to local residents that its only purpose was to provide families with a place to sleep, and that the guesthouse was not a hotel as it had absolutely no intention of making a profit. In addition, if there was a small chance of increased traffic, it would be limited to Friday only, since the guesthouse would not be used during the week. Of course, Bikur Cholim’s explanations fell on deaf ears.

The opposition was strong. During a town hearing in 2006, Rabbi Simon Lauber, director of Bikur Cholim, described the tension as so fierce that the police chief sat in the front row in an effort to block

Pamphlets distributed by the Westhampton Alliance, protesting the *eruv*.



Suffern residents from harming representatives of Bikur Cholim. When Good Samaritan Hospital endorsed the guesthouse in front of 250 residents, everyone joined in a loud chorus of booing.

Eventually, the village denied a zoning variance for the guesthouse, with village attorney Terry Rice explaining that the zoning would not allow for it. Apparently, Attorney Rice failed to consider RLUIPA.

Bikur Cholim of Rockland County sued the Village of Suffern for denying a zoning variance and violating RLUIPA. The following year, the United States government interceded by suing the Village of Suffern. District Court Judge Warren Eginton ruled that Bikur Cholim's use of the guesthouse fell within the provision of RLUIPA, which meant that Suffern's denial of a variance was a substantial burden on Bikur Cholim's right to exercise religious freedom and on the Orthodox Jews who use the guesthouse.

Once a prima facie case against the Village of Suffern was established, the village would have to show a compelling interest for denying Bikur Cholim a zoning variance for its guesthouse. But the village realized that it would not be easy to do so. In fact, other than complaining about some minor traffic inconveniences, they would probably have not much to say. In June of 2010 the matter was settled, and the Village of Suffern agreed to allow the continued operation of a Shabbos guesthouse.

This case involved four years of prolonged litigation, and the settlement took the Village of Suffern right back to where it started. Nothing really changed — other than, perhaps, an acknowledgment that all Americans are entitled to live in communities that are free of discrimination.

### Because This Case Is Different

The Tenafly, Airmont and Bikur Cholim cases are important in that they have all supported the religious freedom of Orthodox communities. One would think that these cases would preclude future lawsuits, but many opponents of

A 2005 copy of the local newspaper, "The Home and Store News" serving Rockland County, in N.Y. and neighboring New Jersey describing the battle over the Bikur Cholim guesthouse.



## Suffern residents tell Jewish organization they have no room for their inn

By Anne Phyllis Pinzow  
STAFF WRITER

More than 200 Suffern residents crowded into village hall, jeering, cheering and calling the attorney of the appellants a liar. Dozens of witnesses lined up to speak and the chief of police stationed himself in front of a group of five men in culturally dictated clothing, quietly sitting away from the crowd.

After all the seven other cases had been heard, including two which were originally scheduled for after this item, the Suffern Zoning Board of Appeals listened to the testimony for and against granting variances to allow an existing temporary lodging for religious visitors of the ill across the road from Good Samaritan Hospital.

Literally meaning, "to visit the sick," Bikur Cholim, a non-profit organization, provides healthcare related services for the ill. They have rented the single family home at 5 Hillcrest Road for the purpose of housing family members and friends of patients deeply observant in the Jewish faith who have been confined to the hospital or who are waiting emergency diagnosis.

These people for religious reasons may not travel from sundown on Fridays to an hour past sundown on Saturdays and High Holy Days.

However, according to John Lowniewski, code enforcer for Suffern, this is an illegal use of the property because it is zoned for single-family use and there have been several instances when more than the allowed 14 people have been housed there at a time.

The way the house is used places it in the legal pigeonhole of a transient hotel or motel, however, contrary to the stereotype, no money is accepted and only those of deep faith are allowed to stay overnight.

Yet, village residents who for years have been fighting developers over zoning issues and rampant overcrowding, did not want what is called a "Shabbos House" in their back yard.

The tenor of residents' emotions was strongly felt by Lowniewski; he said because, "I've gotten emails and letters that I'm really nervous about."

These contained rumors of the alleged uses of the house. He said some of the letters indicated that many would "rally and make a three-ring circus out of this."

This caused him to take the unprecedented move of asking those who were gathered to testify against granting the variances to come early for a meeting to discuss the hearing.

More than 40 people jammed

**SUFFERN: Page 2 Please**

This house at 5 Hillcrest Road in Suffern sits directly across the street from the car entrance to Good Samaritan Hospital. The house was chosen to be a Shabbos House by Bikur Cholim because of its proximity to the hospital.

Orthodox growth think that their personal cases differ from the legal precedent, that somehow RLUIPA and the Equal Protection Clause don't apply to them.

Presently, there are many discrimination cases involving Orthodox Jews pending in federal court. One example is the ongoing case of *Congregational Rabbinic College of Tartikoff v. Village of Pomona*, in which plaintiffs invoked RLUIPA and the Fair Housing Act on the grounds that representatives of the Rabbinical College have requested repeatedly to meet with village representatives to discuss plans to build on one hundred acres of land in Pomona but have been rebuffed each time. This blatant disregard of the Rabbinical College's proposal is just a means of postponing an inevitable confrontation in which the Village of Pomona will attempt to stop the construction of the Rabbinical College. Since the legal issues in this case are a bit more complicated, it remains to be seen how things will develop.

### Finally Beginning to Feel Different

Previously, I mentioned that I never felt the impact of discriminatory zoning

laws because I live in Brooklyn. But I was involved in a chance encounter that left me reeling. I was at a press briefing — one of those perks you get as a reporter — where I was seated next to an important individual. Bursting with confidence, he sported a polka-dotted bow tie, and wore an exquisitely tailored suit and a shirt whose cuffs displayed monogrammed diamond cufflinks. He conversed with me throughout the meeting, offering his comments and opinions. When the briefing was over, he asked me where I was from, and I responded, "Brooklyn."

Apparently, at that point he realized I was Orthodox. That was when he rolled his eyes and with a sneer of utter contempt said, "Ugh, you don't want to talk to me. You're one of those." He walked away with a dismissive wave of his hand.

I don't know if he was Jewish or if he was merely affiliated with a Jewish cause. I don't know if he was an anti-Semite or a secular Jew who was anti-Orthodox. I do know that I felt humiliated. Eventually it all catches up with you, whether you live in Kiryas Joel, Airmont, Suffern or Brooklyn. ☞





# MI BA'EISH? 'WHO BY FIRE...'

A VISIT TO THE KIRYAS YOEL FIRE DEPARTMENT AND AN INTERVIEW WITH FIRE CHIEF REB YEHOSHUA BLUMENTHAL

**W**hen we think of firefighters we imagine brave men dressed in heavy, inflammable gear plunging heroically into burning buildings to make sure no living being is trapped inside. Firefighters elicit our admiration for placing their lives in danger to do their job.

One fire department, which has a history of extraordinary devotion, is otherwise distinguished for the unusual appearance of its firemen. The firefighters of Kiryas Joel are all bearded, chassidic Jews with *peyos* beneath their helmets and *tzitzis* underneath their heavy uniforms.

Welcome to Matzilei Eish, the fire department that's been serving the village of Kiryas Joel for nearly a decade!

For several months I had been trying to get through to the fire chief of Kiryas Joel, Reb Yehoshua Blumenthal, but he was always either out on an emergency call or busy with a hundred other things related to the Fire Department. He didn't have a spare moment for an interview.

This summer a *Hamodia* delegation of reporters visited Kiryas Joel; one of the high points of our trip was the time we spent at the Matzilei Eish headquarters. Reb Yehoshua Blumenthal, probably the only fire chief in the world who has

a long white beard, gave us a tour of his station. We saw the fully equipped fire trucks and examined all the sophisticated equipment owned by this autonomous fire department. We were especially impressed by a state-of-the-art instrument that enables firefighters to see through a cloud of thick smoke. I noticed the letters *beis*, *samech*, *dalet* emblazoned on the exterior of a fire truck: without *siyatta diShmaya*, even the smallest fire cannot be extinguished.

### Why Kiryas Joel Needed Its Own Fire Department

What led Kiryas Joel to establish its own fire department? Reb Yehoshua explained, "Kiryas Joel suffered from several devastating fires because it took too long for the nearest fire department to show up in time to reduce the damage. Buildings in this area are all built of wood, so flames spread quickly and entire structures were destroyed before the firefighters could arrive."

"Ever since Kiryas Joel began

considering establishing its own fire department," says Gedalye Szegedin, Village of Kiryas Joel's administrator, "we had to cut through a lot of red tape in Orange County before they accepted our residents as legitimate firefighters. Once they began accepting our *heimishe yungeleit* as volunteers and we assembled a group of trained men, we were able to get Matzilei Eish off the ground."

The volunteers told us about a run-in they had with OSHA (the federal Occupational Safety & Health Administration) over the masks that firefighters need to wear at a fire scene. Because these masks require that the person wearing them has no facial hair, this posed a problem for the Matzilei Eish volunteers, who all have beards and *peyos*. Matzilei Eish considered importing special masks from Eretz Yisrael, but in the end it was decided that the volunteers would wear the regular masks. For interior or structural fires, Matzilei Eish has other firemen – wearing hermetically sealed masks – who do the grueling job of entering burning structures.

Thanks to Matzilei Eish, there were many cases in which houses were saved from total destruction because of their prompt arrival at the scene.


### At the Scene of the Fire

Chief Yehoshua Blumenthal is responsible for coordinating and dispatching rescue teams. When the fire is

larger and more serious, he himself goes to the scene. When a fire breaks out, a call is placed to the dispatcher of Hatzolah. The dispatcher relays the call to the fire squad who rush to the fire station from wherever they are and from there to the scene of the fire in a fire truck.

The fire chief is also in charge of purchasing, updating and seeing to the maintenance of all equipment. He dispatches different types of trucks depending on the severity of the emergency. For the "average" fire, both a pump and a ladder-engine are sent out. For car accidents, he sends a truck that's equipped with heavy-duty tools to handle extractions from wrecked cars.

During times when there is a higher risk of fires, like on Erev Pesach, during




Nothing is too high for a Matzilei Eish Fire fighter

*bedikas* and *biur chametz*, volunteers are stationed at, and dispatched from, the Matzilei Eish headquarters.

## Fiery Facts

Matzilei Eish, Kiryas Joel's fire department, was founded in the year 2000, and now has a fleet of six fire trucks and about fifty volunteers. Response time is between a minute to a minute and a half. In 2008, Matzilei Eish handled 730 calls in Kiryas Joel, both fire calls and carbon monoxide detections. In the years since Matzilei Eish was established, there have only been two or three instances of homes burning to the ground, what they term "structure fires." This is in stark contrast to earlier years when there were frequent occurrences of a woman forgetting she left a pot of soup on the burner and returning home to find "ground zero." Today Matzilei Eish arrives at the scene in the early stages of a fire, thus averting extensive damage.

In a few months Matzilei Eish will celebrate its tenth anniversary of saving lives and property. We wish them continued success in their heroic mission.



The Matzilei Eish Fire house

When I asked Chief Blumenthal if his men enter blazing homes, he said that if a human life is in danger, everything is done to save it. Obviously, he said, the volunteers are trained to protect their

own lives first and, *baruch Hashem*, none of his volunteers have ever been injured in rescue missions.

"Often," he says, "we're called to situations where the carbon monoxide detector goes off .... If we find that the carbon monoxide level is too high, we call in special companies trained to handle such problems."

What happens on Shabbos? "If a call comes in on Shabbos," a volunteer explains, "two volunteers respond first, because *halachah* says that one must respond even when there's a *safek* of *pikuach nefesh*. As long as there's a possibility that someone's life is in danger, then everything possible must be done to save him. If the situation is serious, then reinforcements are called in. *Shabbos goyim* [non-Jews] go along to do *melachos* that don't have to be done by the volunteers themselves."

I asked them if there are more incidents of fires on Shabbos because of the Shabbos candles. No, I was told, but there are more calls on Thursday and Friday when people cook for Shabbos.

### Cutting-Edge Technology

Matzilei Eish hires technicians to inspect their trucks regularly to insure that they are functioning properly. One of the team's first volunteers, Shlomo Neiman, who is a plumber by profession, showed us the fine points

of the truck's sophisticated equipment, including various sizes of ladders and power saws that are used to cut through debris in more grueling cases. There are various types of sand and water that are used to extinguish different kinds of fires, special apparatus similar to X-ray machines that pinpoint the exact location of the fire or where people are trapped, and the above-mentioned instruments that see through the smoke.

### Recruitment

Matzilei Eish volunteers are Kiryas Yoel residents who are either learning in *kollel* or have jobs that they can leave in case of an emergency. In order to be accepted as a volunteer for Matzilei Eish, one must undergo a thorough medical examination and attend special courses run by the State of New York. Lectures are given in a "training room" at the Matzilei Eish station house. All drills and practical demonstrations are performed with their own equipment and fire trucks, making the courses definitely a hands-on experience.

The training room, with seating for trainees and a podium for the lecturer, is adorned with signs bearing instructions for fire rescues and some unique posters with quotations from *Chazal*, like "*Ein lecha adam she'ein lo shaah*" and "*Lo hamidrash ha'ikar ela hamaasah*" — only at a fire station in Kiryas Yoel!

Chief Blumenthal showed me a closet where he stores a variety of electronic items that have caused fires in the past, such as faulty outlets and old, worn-out wires. Fires can result from negligence during cooking, from a defective boiler or, as in many cases, from electrical malfunctions.

If one smells fire in his house, Blumenthal urges, there isn't a moment to spare; he must leave the house immediately and call for help.

After seeing Matzilei Eish's success, the community in New Square is now working on establishing a similar squad in their own village. "They're almost there," says Blumenthal, "and we're helping them out as much as we can." **M**



Top: Fire Chief - Yehoshua Blumenthal  
Bottom: Matzilei Eish at work



By Yitzchok Cohen

# KIRYAS JOEL: A Chassidic Oasis in Upstate New York

A delegation of Hamodia representatives pays a visit to Kiryas Joel, the Satmar enclave in Monroe, on the occasion of the thirtieth *yahrzeit* of its founder, the Satmar Rebbe, Harav Yoel Teitelbaum, *zyl"q*

It is an unwritten law in the world of journalism that anniversaries of momentous events marking a certain number of decades — the tenth, the twentieth, and so on — deserve more attention than the anniversaries in between. Naturally, the thirtieth *yahrzeit* of an illustrious personality such as the Satmar Rebbe, *zyl"q*, calls for special coverage.

But special coverage on the Satmar Rebbe is something that is not really feasible. The countless articles that have been penned to describe this spiritual giant cannot do justice to the scope of his greatness. So instead of writing about the Rebbe himself, it was decided to focus on one of his extraordinary achievements — the establishment of the Satmar *shtetl* of Kiryas Joel in Monroe, New York.

Ever since the Rebbe set foot on American soil, he harbored a dream of building his own *shtetl* — a quiet, secluded enclave where his chassidim could lead their lives sheltered from the tumult of the city. For many years the Rebbe nurtured this dream, hoping that one day he would be *zochel* to move into such a *shtetl* along with his chassidim. Finally, in 1974, his dream was realized, and he settled in Kiryas Joel.

The Rebbe, who did so much to advance *Yiddishkeit* in America, once said, "If not for my *shtetl*, Kiryas Joel, I would feel as if I achieved nothing in this world." He felt that founding this enclave would be a way of perpetuating his memory, for all his children passed away during his lifetime. He once said, "I believe that I survived the war to be able to build a *Yiddish shtetl*!"

Building the *shtetl* was not easy. The establishment of Kiryas Joel came after several failed attempts to set up a Satmar enclave in Staten Island, Dover, Canarsie, Mount Kisco, Congress Lake and other locations. In all these places, especially in Congress Lake, hostile anti-Semitic opposition from residents hampered him.

The first resident in Kiryas Joel was a Jew from Washington Heights named Eli Birnbaum, *of"l*; he settled in the tract called Garden Homes. Although a member of the



Ashkenazic community in Washington Heights, he had been deeply impressed by the Satmar Rebbe's *sfefer*, *Al Hignatoli ve'al Hatanenuli*. Like many others, he had many questions on the often-debated topic of Zionism, so he wrote down a list of his questions and went personally to present them to the Rebbe. The Rebbe patiently listened to all his questions and clarified his stance against Zionism until Rabbi Birnbaum understood. Afterward, Rabbi Birnbaum would often come to the Rebbe; he also studied the Rebbe's *sfeferim*. When he heard that a *shitfetz* was being planned, the idea of living there appealed to him, and he was among the first to register. Reb Eli lived in Kiryas Joel for many years.

A longtime Kiryas Joel dweller told me, "Kiryas Yoel is a *gesimiklei shitfetz*, both materially and spiritually, especially in the areas of *tzidatut* and *chesed*. There are facets of our lives that are somewhat limited, but in a positive sense. A person who doesn't have a car simply makes do with the local shopping center; it's similar to the *shitfetz* of yesterday. Kiryas Yoel is an excellent place to raise children since they're not exposed to the *nisjonas* that abound in the city streets. Especially now in the summer, the kids can run around and play freely outside without fear of spiritual storm-winds. In my opinion, it's much easier to raise children here, far away from the hullabaloo of the city."

#### Welcome to Kiryas Joel

On a sunny summer morning, a car carrying a delegation of *Hamodia* representatives drove slowly into Kiryas Joel, a village in the Town of Monroe. We pulled up in front of the main shopping center and proceeded to the village's administrative office, which is located on the upper level.

The receptionist, a *hamishe* resident of the village, ushered us into the office of the mayor, Abraham Wieder, a

Satmar chassid. The mayor was out of his office just then, so we were welcomed by Mr. Ari Felberman, the government relations coordinator, who graciously seated us and served us cold drinks.

The walls of the mayor's office are adorned with various pictures that give visitors a glimpse into the mayor's standing in the political world. Mayor Wieser has been photographed with presidents Reagan, Bush, and Clinton, New York governor Pataki, and other prominent political figures. A small model of Kiryas Joel's Ezras Cholim Medical Center graces a corner of his desk.

Mr. Felberman gave us a brief overview of the *shitfetz*'s development. Kiryas Joel, he said, has a much higher population density than other villages in upstate New York. In other Orange County villages, a one-family house is built on one to three acres of land, whereas in Kiryas Joel up to fifteen apartments are built on one acre. The reason for this is, of course, financial, but there is also the issue of convenience. If the village were more spread out, the men would have to walk farther to go to shul, and the women to go shopping. The village is comprised of 860 acres, or 1.1 square miles, and another 1,000 acres are available for future construction.

Ari introduced us to Mr. Gedalye Szegedin, the Kiryas Joel village administrator. After shaking hands with each of us, he modestly asked that another chair be brought into the room for him since he did not want to sit in the mayor's chair. *Hamodia* presented Administrator Szegedin with an enlarged, framed copy of an interview with the Satmar Rebbe, Harvey Yoel Teitelbaum, had given the *Times Herald Record* on September 1, 1974, shortly after he moved into his newly established *shitfetz*. At that time the village was comprised of a mere handful of houses; today it is home to more than 22,000 families. Szegedin related that he had come to Kiryas Joel as a young child of seven. Even at such a young age, he absorbed the values of the *shitfetz* and understood that its purpose was to provide an unspoiled environment where

Mr. Szegedin receives plaque from *Hamodia* delegation.

Chassidic Jews could raise their families at a safe distance from the teeming streets of New York City.

"Our mission," he said, "is to turn Kiryas Joel into a self-sufficient village enabling the community to secure for its residents everything they might require. Our aspiration is for Kiryas Joel to be a *shitfetz* where one can live his or her life peacefully from cradle to grave."

Regarding the village's rapid growth, Mr. Szegedin said that unless Moshiah comes soon, they will have a housing problem, because according to calculations, the Kiryas Joel

The main shul  
therapy, and physical  
pediatric, general medicine, medical  
services.



Near the shopping center, we saw the beautiful new *simchath* hall Keren V'Yoel Moshe, which has motel rooms on the upper level so that guests from outside the village can share family celebrations in Kiryas Joel.

We drove along the hilly streets, many of which are named after European *shitfetz* that were decimated in the Holocaust, such as Kozhmitz, Zenta, Satmar, Sighet, Kroli, Litzhensk, Uhel, Gorlitz, Krakow, Dinov and Nicholsburg. Some are even named after cities in Eretz Yisrael, such as Meron, Tzeftas, and Chevron. Several streets are named after popular Satmar *roshei kehillah* and philanthropists, including Lipa Friedman and Mordechai Sher. Our guide remarked that the streets that were built before the establishment of Kiryas Joel bear secular names, and on one of them we watched a crew installing traffic lights at an intersection. This is only one of an array of federally funded projects geared toward upgrading safety services available to village residents.

We drove by the headquarters of Chevrah Hatzolah, the heroic group of dedicated volunteers who serve as first

responders to various emergency situations that crop up in a dense population of large families. Hatzolah's usual case load is greatly increased during the summer when residents of the many bungalow colonies surrounding Kiryas Joel utilize their services.

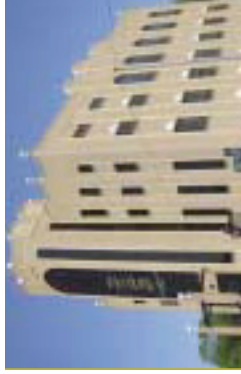
Next we passed by the Public Safety Department which, under the skillful direction of Mr. Moshe Witroil, dispatches the salaried guards who patrol the village during nighttime hours.

Our guide told us that the village's sanitation department is run by Mr. Yehoshua Blumenthal, and that many of the sanitation trucks, parked near the sewer plant, are driven by village residents.

As we drove through the streets of Kiryas Joel, we witnessed the incredible realization of the dream initiated by the Satmar Rebbe, who established the village with just a handful of families on Quickway Road. Today, countless new housing projects such as Shechunus Atzei Hatamarim, Shechunus Beirach Moshe, Lemberg and others, provide additional housing units to accommodate the young families who choose Kiryas Joel as their home. By local ordinance, each new housing development has its own small *beis midrash* so that fathers can easily walk to shul with their children who might find it difficult to walk all the way to the central *beis midrash*. An indirect outcome of the smaller shuls is the close-knit connection that forms among the *misparelim*, who share in each other's *simchas* and are a strong support system for those facing sometimes overwhelming life challenges. This family-type relationship among neighbors would be more difficult if everyone *dwarped* in one central location.

Of the 22,000 residents of Kiryas Joel, only 1,500 are licensed drivers. Most of the population get around on foot, a fact that requires the village to maintain wide sidewalks in good condition. Mr. Szegedin mentioned that the village municipality is scheduled to begin construction of a park-and-ride project, enabling people to park their cars at the entrance of the village and take a bus into New York City. Two-hundred-fifty parking spaces are planned for this federally funded project.

Since the Satmar Rebbe strongly held that the women in his community should be given the opportunity to be full-time mothers to their children while *parnassah*



The kollel building



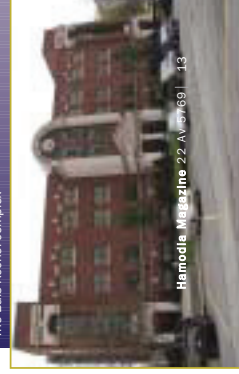
One of the yeshiva buildings



Keren V'Yoel Moshe simchah hall and motel



Above and below: The Bais Rachel complex



should mainly be her spouse's responsibility, there are dozens of buses that shuttle the men to their workplaces in New York City. These buses are like shuls on wheels, with regularly held *minyanim* for *Shacharis*, *Mincach* and *Maariv*. A *hachnasas sefer Torah* for the *sifrei Torah* used for *laiving* on the buses was an unforgettable event.

One might think that commerce in a suburban enclave that is dedicated to serving G-d, such as Kiryas Joel, would take a back seat. The huge building housing the Kiryas Joel Business Center puts that notion to rest. The center, completed eight months ago, is a pulsating business hub, with the first floor housing shops and the upper levels filled with offices that provide residents with all types of services and employment opportunities.

#### From Satmar to Satmar

Elderly natives of the town of Satu-Mare, Hungary, colloquially called "Satmar," still fondly remember the charming look of the town's young boys, who sported suspenders, caps, and long curly *pepes*. They also recall the little girls with their trademark long braids and long-sleeved dresses. Hitler, *yim'sh*, in his lunatic brutality annihilated many tens of thousands of Hungary's innocent children. But lest anyone think he emerged victorious in his plan to wipe the image of Hungarian-Jewish children off the face of earth, let them visit Kiryas Joel and watch the thousands of adorable boys and girls playing on grassy lawns, riding "big wheels" down sloping streets, as well as learning and *davening* with enthusiasm — the boys in their *chedarim* under the tutelage of their devoted *melanim* and the girls in their schools under the care of their dedicated teachers. When we visited it was summertime and a large number of the villages' children were away in summer camp. However, the numerous, huge school buildings attest to their presence during the school year.

Our guest next pointed out the new Eckstein Wedding Hall, in which the Satmar *chasunah takanos*, initiated and strongly encouraged by Harav Aharon Teitelbaum, *shlitia*, Satmar Rebbe, have been implemented. The total cost of a wedding at this hall amounts to no more than \$6,000 for both sides combined; the price includes a festive catered meal, music, a *hachdaran*, and all the other amenities that make a *simchah*

complete.

The Satmar *chasunah takanos* have become a groundbreaking revolution in the Jewish world as families, rich and poor alike, now save thousands of dollars that were previously spent on superfluous luxuries. On high, the Rebbe must surely be deriving *nachas* from the fact that his chassidim's financial burdens are lightening, thereby enabling them a measure of *hacharas hanefesh* while focusing on the spiritual aspects of their lives.

Bais Rochel Paradise wedding hall, another popular village venue that hosts weddings five nights a week, is located in one of the several girls' school buildings, all of which are beautiful edifices. Kiryas Joel schools put tremendous emphasis on *tznius*, modesty, a topic that the Rebbe found important enough to talk about during many of his *Kol Nidrei* addresses on the holiest night of the Jewish year, Yom Kippur.

On our tour, we passed several yellow buses, part of the fleet of forty-five that daily transport a total of 7,000 children to and from school and *cheder*. White village buses provide transportation to residents throughout Kiryas Joel.

#### Shaarei Chemiah

Kiryas Joel's municipal leaders take the slogan "No child left behind" very seriously. Just as they had made sure to provide top-quality *chinuch* and general education to the community's children, they were determined to do no less for children with special needs. A complex framework was built to accommodate these children, and to provide them with an environment of love and warmth where they can blossom to their maximum potential.

Emotions ran high during our visit to the state-of-the-art building that houses the Kiryas Joel school district, known to the locals as Shaarei Chemiah (which means Gates of Compassion), an institution that serves special-needs children.

Though we didn't photograph any of the children there in order to protect their privacy, their images will be forever embedded in our memories. One little boy wore a unique "cage" that protects his body from injury when he falls; another was

engaging in special exercises with a devoted therapist, and a third, who was injured in a car accident a few months ago, appeared to be receiving intensive rehabilitation therapy as he recuperated at Shaarei Chemiah.

The older children and *bachurim* served by this facility, who occupy an upper floor in the spacious building, greeted us with a genial *shalom aleichem*. One of them told us excitedly that his brother had just become a *chassan* and showed us a mazel tov sign he had created. One of us *fathered* a charming little boy suffering from injuries he sustained several years ago during a terrorist suicide attack on a Jerusalem bus in which his mother and younger brother were killed. The child displayed excellent knowledge of the *parashah*, and staff members showed us a special *Chumash* that facilitates the children's Torah learning. All of us enjoyed watching other children enjoy a swimming session at the indoor pool.

As we walked through this impressive building, its floors and walls gleaming with cleanliness, we learned that the 44,000 square-foot structure cost \$15 million and that the school district's annual budget is \$25 million. The institution serves 250 children, some full-time and some part-time, under the combined supervision of the school superintendent, Mr. Joel Pettin, administrator Joseph Hartman, and Rabbi Yedidya Fisher, who showers these special *neshimim* with warmth, love and a variety of services.

Rabbi Fisher explained that many of the children attend special education classes and receive necessary therapy for only part of the day, and that a transportation system shuttles them from *cheder* or school to Shaarei Chemiah, where they receive the extra help they need.

We were very moved when we witnessed the teachers' joyous reaction to a seven-year-old child who was singing, "Hallelach Hago'el." The teachers explained their unusual excitement: this was the first time in two years that the child had opened his mouth to utter a sound. Their "never give up" attitude had finally paid off.

#### The Fire Department

After our extended visit to Shaarei Chemiah, we continued our tour, admiring the well-maintained homes, most of which are surrounded by lawns and set apart by bushes, and the clean streets in both the old and new developments.

We reached Chevron Street, where the Kiryas Joel Fire Department, known as Matzlei Eish, is located. We met the fire chief, Mr. Yehoshua Blumenthal, and some of the firemen, all of them village residents. We enjoyed peering into a fire truck and examining its sophisticated equipment. The fire department was established to fill an urgent need for a local fire squad, especially in this rural setting, where most of the homes are built from wood and present a grave danger in case of a fire.

#### The Eishes Chayil Kimpaturin Home

The beautifully appointed Eishes Chayil Women's Services Center welcomes mothers from all over New York State, who come to regain their health and strength after birth or illness in this luxurious establishment.

"It's called a *kimpaturin* home," says Mr. Szegedin, "but it's really much more than a facility catering to mothers' of newborns." The Eishes Chayil Center is the most comprehensive women's convalescent home in any Jewish community. Its services include pre- and post-natal care, health and hygiene courses, and a senior program where elderly women meet each day for lunch, *Tahillim*, lectures, and exercise. On the drawing board are plans to add the services of a nutritionist who will help women with weight control, and a special wing that will be reserved for a complete medical center dedicated to women's health needs. We were also shown the center's beautiful multipurpose hall, which is used for the *brissos* of newborn clients.

#### At the Rebbe's Kever

After an uplifting day of observing the fulfillment of the Rebbe's dream *shifet*, where even mundane, day-to-day routines are marked by an almost-tangible spirituality, we reached a climactic ending. We ascended

a steep hill known as the Yeshivah Mountain, at the top of which we entered the gated *beis hachaim* where the Satmar Rebbe, Harav Yoel Teitelbaum, his wife, Rebetzin Alte Faiga, and the Satmar Rebbe, Harav Moshe Teitelbaum, *z"l*, are interred.

Surrounding the Rebbe's *ohel*, like a circle of sentries, are the final resting places of individuals who were very close to the Rebbe, among them his longtime *gabai* Reb Yossel Ashkenazi, and the devoted *resher ketillah* Reb Leibish Lefkowitz and Reb Sender Deutch.

A palpable aura of holiness enveloped us as we entered the nesting place of the holy



Davening at the *tzivun* of the Satmar Rebbe, Harav Yoel Teitelbaum, *z"l*.

founder of Kiryas Joel. We recited *Tahillim*, lit candles, and placed *leitlach* on the impressive tombstone, asking that Hashem answer our prayers in the *zechus* of these *tzaddikim*. Leaving the *ohel*, we noticed the yeshivah building where hundreds of *bachurim* sit and learn Torah — a fulfillment of the Rebbe's wish to have a yeshivah right near his *kever*.

As we drove out of Kiryas Joel, we were filled with admiration, nostalgia, and perhaps even a drop of envy of these *Yidden*, who lead such peaceful lives in this idyllic haven.

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Thirty years have elapsed since the Rebbe's *peirah*, but his sacred spirit continues to hover over his followers, and the seeds he planted are blossoming exponentially. The *shifet* that he founded with the purpose of eternalizing his religious principles bears his name and remains a glorious tribute to his sanctity life. \* \* \*



The Satmar Rebbe, Harav Yoel Teitelbaum, *farheing tahmidim* in the early days of Kiryas Joel



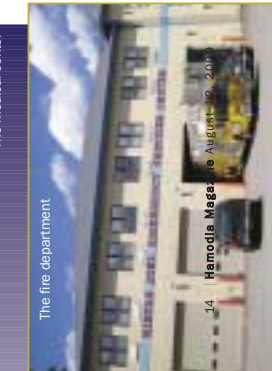
The business center



The shopping center



The medical center



The fire department