1

VILLAGE OF KIRYAS JOEL

NOTICE OF DETERMINATION OF SIGNIFICANCE

AND PUBLIC SCOPING

(Positive Declaration)

for

ANNEXATION OF 164 ACRES FROM THE TOWN OF

MONROE TO THE VILLAGE

OF KIRYAS JOEL

September 22, 2014
7:00 p.m.
5 Israel Zupnick Dr.
Monroe, New York

VILLAGE OF KIRYAS JOEL:

    ABRAHAM WIEDER, Mayor
    GEDALYE SZEGEDIN, Administrator
    MOSES GOLDSTEIN, Trustee
    SAMUEL LANDAU, Trustee
    JACOB FREUND, Trustee
    JACOB REISMAN, Trustee
    MR. NICHOL

TOWN OF MONROE:

    HARLEY DOLES, Supervisor
    DANIEL BURKE, Councilman
    RICHARD COLON, Councilman
    GERARD McQUADE, JR., Councilman
    DR. PETER MARTIN, Comptroller
    MICHAEL STERTHOUS, ESQ.
          Whiteman, Osterman & Hanna
    TIM MILLER, AICP
    FREDERICK WELLS, RLA
          Tim Miller Associates

REPORTER: KAREN SCHMIEDER, CSR, RDR
           Schmieder Meister Inc.

Schmieder & Meister Inc.   (845) 452-1988

1   MR. MILLER: Good evening.

2   I would like to welcome everyone to

3   tonight's scoping meeting. To start

4   our evening tonight we're going to

5   start with the Pledge of Allegiance

6   led by Officer Stagarano, who is a

7   Gulf War veteran of the U.S. Army.

8

9   (Pledge of Allegiance.)

10

11   MR. MILLER: Before we get

12   started, there are four exits at the

13   rear of this room. One on the right,

14   one on the left, two in the back.

15   There are also restrooms behind the

16   double doors in the back.

17   My name is Tim Miller; I'm a

18   professional planner. I've been

19   retained by the Village to prepare the

20   Generic Environmental Impact

21   Statement, and tonight I'll be

22   facilitating this meeting.

23   Before I get into the

24   protocol for tonight's session, I

1   would like to introduce the Village

2   Mayor, who has a few words of welcome.

3   Mr. Mayor.

4   MAYOR WIEDER: Good evening.

5   My name is Abraham Wieder, mayor of

6   Kiryas Joel. On behalf of the Village

7   Trustees, Mr. Goldstein, Mr. Landau,

8   Mr. Reisman, Mr. Freund, and on behalf

9   of Monroe Town Board members,

10   Supervisor Doles, Mr. McQuade, Mr.

11   Burke and Mr. Colon, welcome to Kiryas

12   Joel. I thank you for taking the time

13   to join us for this evening's scoping

14   session. Also joining me on the dais

15   is Village Administrator, Mr.

16   Szegedin, government relations

17   representative, Mr. Feldman, along

18   with a team of professionals.

19   Tonight's emcee, Mr. Miller,

20   an expert of SEQRA law, we'll

21   introduce to you shortly. The purpose

22   of this voluntary session is to

23   receive public comments on the scope

24   of the input associated with the

1   petition by homeowners in the Town of

2   Monroe to become residents of the

3   Village. In response to the

4   homeowners' petition, the Village

5   Board is serving as lead agency. In

6   this capacity the board will conduct

7   an environmental review on the impact

8   of adding 164 acres to the Village of

9   Kiryas Joel.

10   The Village Trustees and I

11   are pleased to host tonight's session

12   and listen to the comments of the

13   scope of this review. I look forward

14   to hear from you comments this

15   evening. Thank you.

16   Mr. Miller, please introduce

17   the team, and let's begin the session.

18   MR. MILLER: Thank you, Mr.

19   Mayor.

20   With me tonight is Fred

21   Wells, who is with my company, Tim

22   Miller Associates. He'll be the

23   project manager for the EIS; and

24   Michael Sterthous, who is with the law

1   firm of Whiteman, Osterman & Hanna,

2   and they are advising the Village on

3   the SEQR matters.

4   By way of background, a

5   petition has been filed with the Town

6   of Monroe and the Village of Kiryas

7   Joel to annex approximately 164 acres

8   of land presently in the Town of

9   Monroe into the Village. This

10   petition was filed pursuant to New

11   York State General Municipal Law.

12   There are several maps here that show

13   the location of the proposed parcels.

14   On this map it's the area in brown; on

15   this map it's the area in pink. The

16   purple is the Village of Kiryas Joel.

17   This is the Village of Monroe, the

18   Village of Harriman and the Town of

19   Monroe.

20   The Village and Town's

21   consideration of the annexation

22   petition is an action that's subject

23   to the requirements of the New York

24   State Environmental Quality Review

1   Act, referred to as SEQRA. Under

2   SEQRA the Village will be the lead

3   agency for this action. The Village

4   has adopted a positive declaration

5   requiring a Generic Environmental

6   Impact Statement, or GEIS. The Town

7   of Monroe is an involved agency and

8   the only other decision making body

9   involved in this action to annexation.

10   The EIS is called generic

11   because the proposed action does not

12   include any decision on site-specific

13   development proposals.

14   Tonight's meeting is for the

15   express purpose of soliciting input to

16   finalize a draft scope for the generic

17   EIS, pursuant to Section 617.8 of

18   SEQR. This is a scoping session.

19   It's not a public hearing. A draft

20   scope has been prepared by the

21   Village's consultants and advisors,

22   and copies are available in the back

23   of the room. The draft scope is

24   basically the outline that will be

1   used for preparation of the draft EIS.

2   That scope is also posted online at

3   www.kj-seqra.com/164acres. That site

4   will actually have all documents that

5   will be publicly filed in connection

6   with this proceeding, including the

7   Environmental Impact Statement when

8   it's prepared.

9   There are signup sheets in

10   the back of the room for anyone

11   wishing to make a comments on the

12   scoping outline. If you do wish to

13   speak, please be sure to get your name

14   on one of those sign-up sheets. If

15   you have written comments, please be

16   sure to hand them to the stenographer

17   tonight before you leave.

18   The goals of the scoping

19   meeting are to focus the environmental

20   studies on potential adverse

21   environmental impacts that may occur

22   as a result of the annexation and to

23   eliminate consideration of those

24   issues that are irrelevant or

1   nonsignificant. Scoping is not

2   required under SEQR, but the Village

3   understands and appreciates the

4   community's interest in the proposed

5   action and seeks input for addressing

6   potential environmental issues and

7   defining the analysis to be provided

8   in the impact statement.

9   The Draft Scoping Outline

10   handed out tonight is like a table of

11   contents for the Generic EIS. The

12   purpose of the meeting is to take your

13   comments on that outline to ascertain

14   if there's anything missing that

15   should be further examined under

16   environmental law.

17   As you can see from the

18   Draft Scoping Outline the document

19   will include a detailed description of

20   the proposed action, along with the

21   projection of the future development

22   and growth likely to take place in the

23   Village without the annexation,

24   compared to what might happen with the

1   annexation. It has already been

2   identified in the scoping outline that

3   the EIS will contain chapters on land

4   use and zoning, demographics and

5   housing, economics, including tax

6   implications to the school districts

7   with and without annexation. It will

8   address community services, such as

9   police and fire protection, schools,

10   utilities, such as water and sewer

11   services, traffic and transportation

12   related impacts and natural and

13   cultural resources. The EIS document

14   will also set forth thresholds for

15   future reviews as individual

16   development proposals are advanced in

17   the annexation lands.

18   After tonight's meeting

19   there will be a period to receive

20   written comments on this draft scope.

21   Those comments can be addressed to Tim

22   Miller Associates. Our address or

23   mailing address is on the positive

24   declaration, and they should be

1   postmarked no later than September

2   30th. You can also email comments to

3   tim@timmillerassociates.com. And

4   please indicate your name and address

5   on any comments that are emailed.

6   Everyone tonight that wishes

7   to speak will be given three minutes.

8   Please respect this time. A

9   stenographer is present to record the

10   comments that are made in the

11   microphone. We will start with a

12   representative of the applicant, and

13   then I've got a list of other

14   speakers. It would be great if the

15   speakers could come up as they are

16   called and sit in the seats in front,

17   just so we can keep this moving. The

18   first speaker will be Steven Barshov,

19   second David Church, third Krista

20   Yacovone, fourth James Skoufis and

21   fifth John Furst.

22   Before we begin, I invite

23   everyone to follow a few guidelines to

24   help us manage tonight's meeting.

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 1        Please state your name and address

 2        prior to making your comments.  Please

 3        address your comments and questions to

 4        me and the stenographer.  This is not

 5        a meeting tonight to answer questions

 6        or respond to comment, rather solely

 7        to gather your input on the scoping

 8        document.  Pertinent questions or

 9        comments will be added to the scoping

10        outline and addressed in the Generic

11        Environmental Impact Statement.  This

12        is also not a hearing to discuss

13        whether you are for or against the

14        annexation.

15                   After the DEIS has been

16        accepted by the Village Board, it will

17        be made available to the public.  It

18        will be posted on the Internet.  A

19        formal public hearing will be held on

20        the GEIS and the annexation petition,

21        and there will be an opportunity to

22        obtain further public input at that

23        time.

24                   That being the case, kindly
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1   restrict your comments to the scoping

2   outline and items that you believe

3   should be addressed in the GEIS that

4   are not covered in the draft scope.

5   The Village is committed to an open

6   public proceeding. Please minimize

7   any comments or applause from the

8   floor, and be respectful in your

9   comments so these proceedings may move

10   forward in an open and civil manner.

11   If somebody has already offered

12   comment on something that you intended

13   to speak on, please indicate that when

14   you come to the microphone. There's

15   no need to repeat comments already

16   made.

17   As noted before, there will

18   be a stenographic record of everything

19   said tonight, and nothing will be

20   missed. We'll close the scoping

21   meeting around 9:30 and expect there

22   will be sufficient time for everyone

23   to be heard. If anyone does not get a

24   chance to speak tonight because of

1   time constraints, we will take written

2   comments on the scope through

3   September 30th. A final scope will be

4   presented to the Village Board early

5   in October and a Draft EIS will be

6   prepared accordingly.

7   So, with that I invite the

8   first speaker to present your

9   comments. Mr. Barshov.

10   MR. STEVEN BARSHOV: Good

11   evening, everyone. It is a pleasure

12   to be here.

13   My name is Steven Barshov.

14   I am with the law firm of Sive, Paget

15   & Riesel in Manhattan. I represent

16   the applicants who have petitioned the

17   Village of Kiryas Joel for annexation.

18   I'm particularly happy to be

19   here tonight because the Village did

20   not have to undertake this process of

21   public scoping. The environmental

22   review process is complicated enough

23   as it is, and I think it is incredibly

24   important that the lead agency here,

1   the Village Board, hear from all the

2   stakeholders that are potentially

3   interested in the process in order to

4   hear what they believe ought to be in

5   the Environmental Impact Statement.

6   The key thing here is that

7   no lead agency has a corner on the

8   market on wisdom. The lead agency is

9   only going to do as good a job in the

10   Environmental Impact Statement as the

11   scope of that Environmental Impact

12   Statement is. It needs to be full; it

13   needs to be robust; it needs to deal

14   with all of the issues of potential

15   environmental concern. And I say that

16   not just as a citizen of New York, not

17   just as a lawyer that does this

18   regularly, but from a selfish

19   perspective. I represent clients and

20   have applicants, and I want this

21   environmental review to be able to

22   withstand legal scrutiny, should that

23   be necessary. If that's the case,

24   then it is going to have to be a full

1   and robust environmental review. As a

2   Generic Environmental Impact Statement

3   there will have to be a worst-case

4   development scenario created, and I

5   would hope that people would have

6   input regarding what that worst-case

7   development scenario should be.

8   If you don't provide input,

9   and you're interested in this process,

10   then please don't complain later when

11   something was missed. Now is your

12   time and it's very important that you

13   take the time to advise the Village

14   Board what should be in the EIS. I

15   was particularly happy to hear that

16   there would be written comments that

17   would be solicited and heard and

18   obtained by the lead agency. I say

19   that because it's hard in three

20   minutes for anyone to convey the

21   substance of what should be in the

22   EIS. So I encourage those that are

23   interested to avail themselves of the

24   opportunity to put in written comments

1   so that there can be again a robust

2   Environmental Impact Statement.

3   The only point that I would

4   make substantively is that I believe

5   the Environmental Impact Statement

6   should also analyze the potential

7   impacts of the full annexation that

8   was originally proposed. I say that

9   because I've already heard rumors or

10   statements to the effect that it would

11   be illegal segmentation if the lead

12   agency did not consider the entire

13   annexation as it was originally

14   proposed. So at a minimum, my comment

15   is that that should be considered as

16   an alternative in the environmental

17   analysis, so that the claim cannot be

18   made that the Village Board, as lead

19   agency, failed to consider all of the

20   potential environmental impacts of the

21   annexation.

22   After this meeting is over

23   I'm not going to go anywhere. If

24   there are members of the community --

1   sorry if it's not about scoping, but

2   if there are members of any community

3   that would like to speak with me, I'll

4   stay here as long as you'd like to in

5   order to meet me and share your

6   thoughts with me one neighbor to

7   another.

8   By the way, I live in

9   Haverstraw, so I'm sort of your

10   neighbor, if you go over the hill.

11   MR. MILLER: Thank you.

12   David Church.

13   MR. DAVID CHURCH: Good

14   evening.   My name is David Church; I'm

15   the Orange County Commissioner of

16   Planning.   I'm here on behalf of

17   County Executive Neuhaus.

18   I thank the Mayor,

19   Supervisor, Trustees and Town Board

20   for holding what is indeed an option

21   of an important public scoping

22   session.   I did provide some written

23   comments.   I'm going to highlight in

24   my limited time some of those issues.

1   The County Executive has

2   asked me to note up front that he will

3   continue to advocate that the County

4   in New York State statute plays an

5   important decision-making role in

6   annexations. We had previously

7   inquired and expressed interest in

8   being both lead agency as well as an

9   involved party in this, and we accept

10   that's not possible at this time. Yet

11   we are going to pursue that further in

12   the legislature for future

13   considerations.

14   I have a set of comments,

15   some of them are technical. I've

16   provided written -- that in writing.

17   First and foremost the County asks to

18   be formally recognized as an

19   interested party under SEQRA. Our

20   direct interests relate to a broad

21   range of significant services we

22   provide the Village of Kiryas Joel

23   now, to its constituents and to its

24   land holdings in the Village of the

1   proposed annexed area. These services

2   include lands in Orange County Sewer

3   District 1 and Orange County Water

4   District 1. Other services include a

5   broad range and extend from transit to

6   transportation to social and

7   recreation services. These services

8   can and should be itemized and

9   analyzed for impacts prior to any

10   decision on annexation.

11   Additionally the SEQRA

12   review should include expectations of

13   any service decisions or adjustments

14   the County or the County of Orange may

15   need to make. As such, please ensure

16   that all SEQRA and annexation

17   documents and public notices are

18   forwarded to my department. And we

19   will coordinate with other County

20   agencies.

21   Second, to repeat the first

22   speaker's note, we have a fundamental

23   question regarding the original

24   annexation proposal, dated December

1   23rd, which was proposed to annex 510

2   acres. Has that been withdrawn, or

3   are there actually two annexation

4   proposals in play? As such, we with

5   would second the notion that that

6   original one needs to be considered an

7   alternative in this process, and we

8   may recommend a series of alternatives

9   to be considered.

10   Third, we had a set of

11   technical comments that I've provided

12   in writing.

13   And lastly, we raised a

14   question in the map making exercise

15   with the annexation parcels, there

16   appear to be a set of islands or

17   landlocked parcels. We are curious if

18   that makes sense and the implications

19   associated with potential parcels

20   being in either the original or the

21   more recent proposal to be literally

22   surrounded by Village land remaining

23   in the town.

24   I appreciate the time,

1   Mayor, Town Supervisor, and thank you

2   for your attention in this matter.

3   MR. MILLER: Thank you.

4   Krista Yacovone.

5   MS. KRISTA YACOVONE: Good

6   evening. My name is Krista Yacovone,

7   and I'm an attorney with the law firm

8   of Zarin & Steinmetz; we represent

9   United Monroe, a citizen group

10   committed to transparent and open

11   government.

12   United Monroe is appearing

13   tonight with a full reservation of

14   their rights. In making these

15   comments tonight it does not consent

16   to a legal hearing.

17   The Village is illegally

18   seeking to segment the proposed

19   annexation from the Village's broader

20   507 annexation petition, which has

21   been mentioned here tonight. This is

22   in violation of SEQRA. This 507-acre

23   annexation petition, which includes

24   all of the 164 acres in the newer

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1          petition is a subject of an ongoing

2          lead agency dispute and has yet to be

3          withdrawn.  Undertaking a separate

4          environmental review of the 164-acre

5          petition, while the environmental

6          review of the 507-acre petition is

7          pending, is not only improper

8          segmentation under SEQRA but

9          constitutes and illegal effort to

10         evade DEC's jurisdiction to determine

11         the lead agency status and an improper

12         effort to usurp the agency's status.

13                   The Village's claim that it

14         is only seeking the 164-acre petition

15         is disingenuous.  The scoping

16         documents speak to the Village

17         purporting to study the 507-acre

18         petition as a "alternative" to the

19         164-acre petition.  The Village cannot

20         sweep a lead agency dispute under the

21         rug by maintaining it will review the

22         507-acre petition's environmental

23         impacts as part of the review of the

24         164-acre petition.  Moreover, the
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1   Village cannot give short shrift to

2   the analysis required for the 507-acre

3   petition for annexation by relegating

4   it to the alternative section of the

5   EIS for this 164-acre petition.

6   These proceedings are

7   already replete with procedural

8   defects. The Village apparently

9   circulated its intent to serve as lead

10   agency without completing an EAF, in

11   violation of SEQRA. This invalidates

12   the Village's purported assumption of

13   lead agency status and is symptomatic

14   of a rush to perform complete review.

15   The scoping outline itself

16   is deficient under SEQRA. The scoping

17   outline, for example, discusses

18   thresholds for future environmental

19   reviews, but does not provide

20   potential development build-out

21   scenarios, making this determination

22   meaningless.

23   It is particularly

24   inappropriate in light of the

1   Village's submissions to the State

2   Environmental Facilities Corporation,

3   where it suggested that as part of the

4   annexation it might build out

5   according to the maximum density

6   permitted under the town zoning and

7   also might explore potential rezoning

8   for increased density.

9   Furthermore, many of the

10   significant environmental impact areas

11   that typically comprise their own

12   section of EIS, such as stormwater

13   management, are wholly subsumed within

14   Section F, and there are some areas of

15   consideration that have been excluded

16   from the scoping outline altogether,

17   such as community character. The EIS

18   should also consider the Village's

19   failure to -- oh, sorry, one last

20   thing.

21   The Village of Monroe wants

22   to make it clear that they do not take

23   issue with the Village residents

24   themselves. They want to see changes

1   in transparency and open government.

2   United Monroe wishes to work together

3   with these systems to move forward in

4   a sound, legally compliant path.

5   Thank you very much for the

6   opportunity to speak tonight.

7   (Applause.)

8   MR. MILLER: Our next

9   speaker is James Skoufis.

10   MR. JAMES SKOUFIS: Good

11   evening, Mayor Wieder, Village Board

12   members, Village Administrator

13   Szegedin, Town Board. My name is

14   James Skoufis, and I represent the

15   99th District in the New York State

16   Assembly. I have a few comments about

17   the SEQRA process specific to this

18   application.

19   Officials in Kiryas Joel

20   have repeatedly emphasized that this

21   petition came independently from

22   homeowners in a proposal to be

23   annexed, and the Village has no

24   control over it. One such instance

     1   was in a July 17, 2014 photo news

     2   article in which Administrator

     3   Szegedin responds to a request to drop

     4   the annexation bid by saying, quote,

     5   "It is a condition we can not meet.

     6   We are not the applicants; the

     7   individual homeowners are." If that

     8   is the case my questions are as

     9   follows: One, a December 5, 2004

    10   Times Herald-Record article reads

    11   "Kiryas Joel Administrator Gedalye

    12   Szegedin suggests the two sides can

    13   avoid a legal battle by sitting down

    14   and negotiating which parcels Kiryas

    15   Joel will annex." What parcels did

    16   Village Administrator Szegedin and the

    17   Village of Kiryas Joel have in mind to

    18   annex at that time. And how did

    19   Administrator Szegedin negotiate an

    20   annexation if petitions are organized

    21   independent of the Village, as

    22   administrator Szegedin has alleged.

    23   In a June 28th, 2007 Times

    24   Herald-Record article Administrator

1   Szegedin is quoted as saying, quote,

2   "There's always the possibility of

3   annexing more land, but I don't see

4   that on any fast-tracking." Again,

5   what possible annexation was

6   Administrator Szegedin referring to on

7   that date?

8   Third, on a December 19,

9   2014 conference call with state

10   officials, the Village of Kiryas Joel

11   defends its water pipeline funding by

12   offering "The Village would charge new

13   residents as a result of annexation a

14       $25,000 connection fee. This would

15   serve as a commitment from those

16   residents to pay for the cost of the

17   pipeline." Given that the original

18   petition to annex 570 acres of Monroe

19   land into Kiryas Joel was submitted

20   eight days after that conference call,

21   how did Village of Kiryas Joel

22   officials know of a petition if they

23   were not involved in its organization?

24   Fourth, in an email to

1   United Monroe on July 10, 2014, again

2   Administrator Szegedin proposed

3   creating a new town or city of Kiryas

4   Joel with a new boundary created

5   through annexation of Route 17. Once

6   more, if the Village of Kiryas Joel

7   plays no part in organizing local

8   annexation efforts, under what

9   authority does Administrator Szegedin

10   or the Village of Kiryas Joel have to

11   propose this new set of boundaries

12   created by annexation.

13   The answers to my questions

14   I believe are obvious. The evidence

15   dating back ten years ago right up to

16   the current annexation petition

17   clearly points to a Village government

18   that not only supports so-called

19   independent efforts to annex adjacent

20   lands into Kiryas Joel, but also

21   points to a Village government that

22   has orchestrated said efforts.

23   Given that, you all, the

24   Mayor, Village Board and Village

1   Administrator, are in no position to

2   lead an objective review and should

3   instead withdraw your annexation

4   petition or advise your

5   representatives to do so if you are

6   truly interested in peace and harmony.

7   Thank you.

8   (Applause.)

9   MR. MILLER: The next

10   speakers are Veronica Connolly and

11   Debra Behringer.

12   Again, I invite you to keep

13   your comments on the scoping outline

14   here tonight. This is not a public

15   hearing about history. This is about

16   the Environmental Impact Statement,

17   and I invite you to participate in

18   this scoping session in a respectful

19   manner. Thank you.

20   MR. JOHN FURST: Good

21   evening. My name is John Furst. I'm

22   an attorney at Catania, Mahon,

23   Milligram & Rider. We are the

24   attorneys for the Town of Woodbury.

1   So I'm here speak on behalf of the

2   Town of Woodbury. Our address is One

3   Corwin Court, Newburgh, New York.

4   This proposed SEQRA review

5   for the 164-acre annexation

6   constitutes classic segmentation,

7   because the Village and Town currently

8   already have the proposed 507-acre

9   annexation proposal currently on the

10   table. Segmentation is clearly

11   defined in SEQRA regulations as the

12   division of the environmental review

13   of an action so that the various

14   activities or stages are addressed as

15   though they were independent,

16   unrelated activities. The 164-acre

17   annexation proposal does not reflect

18   the scope and scale of the current

19   initial 507-acre annexation proposal.

20   It's only a third of what was

21   originally proposed, and it's fully

22   included in the 507-acre annexation

23   request. Therefore, these two

24   proposals are clearly related. The

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 1          SEQRA regulations clearly state that

 2          considering only part or a segment of

 3          an action is contrary to the intent of

 4          SEQRA.  Reviewing the whole action is

 5          an important principle of SEQRA.

 6          Although the draft scope notes that a

 7          507-acre annexation will be analyzed

 8          as an alternative action, such

 9          analysis will be insufficient and will

10          not contain the necessary level of

11          detail.  This is an obvious end run

12          around from the current SEQRA review

13          for the 507-acre annexation and

14          attempt to preempt the DEC's lead

15          agency choice.

16                    This 164-acre petition

17          should actually be listed as the

18          alternative to the pending 507-acre

19          SEQRA review with a detailed SEQRA

20          analysis of both proposals.  Thus the

21          SEQRA process, as well as this current

22          petition for the 164 acres, should be

23          stayed until the DEC chooses its lead

24          agency with respect to the 507-acre
```

1   annexation.

2   Finally, we are not under

3   any authority under the New York State

4   Municipal Annexation Law, which would

5   permit the processing of two pending

6   annexation petitions for the same

7   parcels. Thank you.

8   (Applause.)

9   MR. MILLER: Veronica

10   Connolly, and the next speaker will

11   then be Debra Behringer.

12   MS. VERONICA CONNOLLY: Good

13   evening. Thank you. Veronica

14   Connolly, Village of Monroe resident.

15   I would like to ask how can

16   the general public be assured that

17   this Village will follow the rules to

18   the letter of governmental law,

19   considering that this Village has

20   numerous SEQRA violations of record?

21   I'd also like to know how is

22   it that men who are supposed to lead

23   from both the Village of Kiryas Joel

24   and the Town of Monroe call themselves

1   leaders when you incite fear, spread

2   hate baiting, propaganda and call

3   myself and the rest of the residents

4   outside of this village anti-Semitics,

5   bigots and hate mongering, quotes,

6   when we are concerned citizens who are

7   concerned about the rural landscape,

8   clean water, traffic implications of

9   this segmentation of the SEQRA and the

10   land annexation. All of these

11   concerns are legitimate, and the men

12   that sit up here should be working for

13   the peace and harmony, but I don't see

14   peace and harmony being spread forth

15   from any of the leaders from the Town

16   or the Village of Kiryas Joel.

17   I would ask that you do your

18   job as leaders and lead people

19   together and not try to drift us

20   apart, because that's what you

21   gentlemen are doing, and it's a sad

22   day for the United States of America

23   when you do that. Thank you.

24   (Applause.)

1   MR. MILLER: Debra

2   Behringer, and the next speaker after

3   Debra is Chaya Wieder.

4   MS. DEBRA BEHRINGER: Hello,

5   Deborah Behringer, Village of Monroe,

6   New York.

7   My family has lived here for

8   40 years, and it's a wonderful town to

9   live in, Monroe. One of the reasons

10   my family moved here was for the

11   beautiful open land and schools and

12   the rural character that we have in

13   Monroe. That's why I chose to raise

14   my four children here also. But what

15   we did is we moved into existing

16   housing that was already in the

17   neighborhood where I grew up. We

18   weren't waiting for someone to build a

19   new house or to give us more land. We

20   found housing in our neighborhood

21   where we grew up.

22   We know that traffic is

23   already a problem right now, and with

24   164 acres I can only assume it's going

1   to be even worse.

2   I would also like to know

3   how many homes are going to be built

4   on the 164 acres? And how many tax

5   exempt buildings will also be on this

6   land?

7   We do want peace. We want

8   to be your neighbors. We want to have

9   a transparent government. There are

10   many good people here in this

11   building, and it does make us feel bad

12   when sometimes we are painted as

13   hateful people. We are really not.

14   We just want to get along with

15   everyone.

16   (Applause.)

17   MR. MILLER: Chaya Wieder

18   and Andrew Lawrence.

19   MS. CHAYA WIEDER: Good

20   evening. Thanks, everyone, for your

21   time tonight.

22   I'm actually one of the

23   applicants of the 507-acre

24   application. And it's very painful to

1   us that application has been put on

2   hold since last December, very

3   unfairly lingering at some

4   bureaucratic office in Albany. I'm

5   begging everyone that has power to

6   please let me and my four children

7   live in the Kiryas Joel community.

8   I currently live on a very

9   unsafe street, no sidewalks, no public

10   water, no sewer, no access to a park

11   for my children. I pay a lot of

12   taxes, and I get no services. Why

13   shouldn't my kids be part of the

14   community where they learn, where we

15   shop, where we pray, where our

16   families have lived for many years. I

17   want my children to have to live when

18   they get married.

19   The area is busy with

20   building casinos. Why is anyone

21   concerned about the impact to casinos?

22   They more harmful to traffic, real

23   estate value and moreover crime

24   levels, again extending to Kiryas

1   Joel. Extending Kiryas Joel

2   boundaries will only make our

3   properties the opposite of what

4   casinos can do to them.

5   It is my hope that the DEC

6   will rule about the lead agency

7   shortly, and I hope that this scoping

8   meeting can cover and be applied for

9   its entire 507-acre application.

10   Thank you for your time

11   again.

12   (Applause.)

13   MR. MILLER: The next

14   speakers are Dan Castricone, John

15   Allegro and Herman Wagschal.

16   MR. ANDREW LAWRENCE: Good

17   evening. My name is Andrew Lawrence;

18   I am president of Lawrence Global

19   Advisors, located in the Empire State

20   Building and also a property owner in

21   Monroe.

22   I had written a letter to

23   the DEC requesting that the DEC be the

24   lead agency here, the same way as the

1   lead agency in Sterling Parks.

2   The segmentation issue here

3   is really severe. When you consider

4   the fact that this is the discussion

5   that the Town of Monroe had last

6   Monday night, and maybe some of you

7   folks were there to hear it, but they

8   talked about another development that

9   was going on in this area, that didn't

10   involve Harriman and the Village of

11   Monroe. All the other municipalities

12   in this area are going to be cut out

13   of this based on the fact Village of

14   KJ would be the lead agency. DEC

15   itself should step up and take this

16   thing over. I believe that the action

17   falls under the segmentation

18   discussion that was had before, and

19   the development plans should also

20   consider Lake Ann and Ace Farms in

21   addition to the 350 acres that we have

22   already talked about. The DEC, as a

23   lead agency, should be one of the

24   agencies -- any agency under SEQRA

1   that has -- that's an involved agency,

2   in other words an agency that can't

3   issue a permit, can be the lead agency

4   here. So there's any myriad of

5   different agencies around the state

6   that can be involved.

7   I've written two letters to

8   the DEC regarding backup water supply

9   for the KJ pipeline. Every gallon

10   that KJ takes from the DEC water

11   system has to have a gallon for gallon

12   backup, as you probably know. I would

13   like to know where that gallon for

14   gallon backup is going to be, based on

15   the SEQRA process based on the

16   scoping. Where does it come from?

17   The last thing I want to say

18   that Mr. Miller said that scoping is

19   not required? If you could, please

20   document that for us, because I really

21   think scoping is an integral part of

22   the SEQRA process, and it shouldn't be

23   belittled. Thank you.

24   (Applause.)

1   MR. MILLER: Dan Castricone

2   and the speaker after that is John

3   Allegro.

4   MR. DAN CASTRICONE: Good

5   evening. Dan Castricone. I live in

6   the town of Tuxedo.

7   I'm a graduate of Pace

8   University School of Law environmental

9   program, and I can tell you with near

10   certainty that the analysis that

11   you've heard from the attorney for

12   United Monroe and the attorney for

13   Town of Woodbury is spot on. I

14   believe if you go forward with this

15   segmented process, all that you will

16   do is waste taxpayer money by

17   defending a lawsuit that eventually I

18   believe you will lose. It makes no

19   sense to me, based on what the

20   attorney Mr. Barshov said, to go

21   forward with partial and take a look

22   at the whole, I think we would be much

23   better off to wait until the whole is

24   done, and then take a look at the

1   partial as you move forward.

2   As a town of Tuxedo resident

3   I see in your draft environmental

4   outline here no mention of the Ramapo

5   River at all. I have worked closely

6   with Mr. Miller's firm when I was on

7   the Town Board in the Town of Tuxedo.

8   Based on the effluent carrying ability

9   of the Ramapo River, when we worked on

10   the Tuxedo Reserve Project, over and

11   over we were told that the Ramapo

12   River has basically reached the level

13   of effluent that it can carry. If

14   Kiryas Joel is to eventually double in

15   size, I believe that we will basically

16   kill the Ramapo River's ability to

17   sustain life. That river cannot

18   continuously be added to and added to

19   with effluent and effluent based on

20   one community's desire to continuously

21   expand. The resources are not here for

22   continuous expansion, and I believe a

23   thorough examination of the

24   environmental impact study is going to

1   show that. But alas, as I look at the

2   draft, there's no mention of the

3   Ramapo River in it.

4   The river also provides

5   drinking water for millions of people

6   in New Jersey. It recharges all of

7   the aquifers that people drink from in

8   Ramapo. I believe that these need to

9   be studied intensely and not given

10   short shrift. I don't want to see an

11   environmental impact study with nine

12   paragraphs of boilerplate, and then at

13   the end it says therefore there will

14   be no environmental impact. Which I

15   have a feeling I've seen many times

16   before in my work, and I have a

17   feeling this is what we are going to

18   expect here.

19   Please, take this seriously.

20   There is no rush. There is no fire.

21   Let the DEC finish its analysis on the

22   whole 507 acres on who should be the

23   lead agency, and then go forward with

24   a thorough process. And only begin

1   this process if indeed the environment

2   we all cherish can handle this

3   expansion. Thank you.

4   (Applause.)

5   MR. MILLER: John Allegro

6   will be followed by Herman Wagschal.

7   MR. JOHN ALLEGRO: John

8   Allegro, Monroe, New York. I am a

9   volunteer with the community activist

10   organization United Monroe.

11   We are very concerned about

12   this annexation. Mr. Miller, I

13   appreciate that you say that we need

14   not go over a history lesson here, but

15   I think we do need to understand some

16   of the history of this nation as we

17   stand here today, and that is we are a

18   nation of laws, not of men. We are a

19   nation of laws, not of money and

20   political sway. We are a nation of

21   laws, not one that favors or

22   discriminates against any religion.

23   Mr. Barshov said tonight

24   that this Environmental Impact

1   Statement that's going to result from

2   this process here must withstand legal

3   scrutiny. I don't know how it can.

4   We have one attorney on the side of

5   the petitioners who says that we are

6   proceeding lawfully, and we have four

7   or five others who just spoke before

8   us claiming that -- telling us that we

9   are involved with segmentation here.

10   Soy can't speak in terms of this being

11   a 164-acre annexation; as we have all

12   heard before, this is a segment of the

13   507-acre annexation. Segmenting

14   annexation or segmenting environmental

15   impact is illegal. And we'll fight

16   for the law, and we will fight for

17   what is right.

18   Now Kiryas Joel and its

19   affiliated developers, builders and

20   contractors have proven to us over

21   time -- now, I've lived here 16 years

22   and I've seen this happen time and

23   time again -- you are poor stewards of

24   the environment.

1   Now KJ wants to annex 507

2   acres, 300 or more of which are

3   undeveloped, for the purpose of urban

4   development. Your practice of

5   violating DEC and EPA regulations are

6   illegal, and we will fight for what is

7   right, and we will fight for the law.

8   The New York State courts

9   have determined that annexation for

10   the purpose of obtaining more

11   favorable zoning is illegal. Your

12   interested parties own a majority of

13   the 507 acres already. Build on it,

14   legally, please.

15   According to the Town of

16   Monroe Comprehensive Plan, which was

17   adopted in 2008, we will fight for

18   that, we will fight for the law, we

19   will fight for what is right.

20   Finally, the establishment

21   clause of the United States

22   Constitution forbids any government

23   from allocating political power on

24   religious criterion. You know this

1   annexation is illegal. Your own

2   proxies use religion as a weapon to

3   beat legitimate opposition into

4   submission. We are not afraid of

5   that. We will fight for the law. We

6   will fight for what is right. Thank

7   you.

8   (Applause.)

9   MR. MILLER: The next

10   speaker is Herman Wagschal, followed

11   by Ben Friedman and Abe Muller.

12   MR. HERMAN WAGSCHAL: My

13   name is Herman Wagschal, and I live

14   off of Seven Springs Road in Monroe.

15   I lived all my life, until about 18

16   years ago when I moved up here, I

17   lived in Rockland County. I grew up

18   here. I've seen these meetings. I've

19   seen these things over and over again.

20   I lived in a place where eleven

21   villages were created because of

22   people that were trying to corner in

23   and prevent certain people from

24   expanding, from using the laws of this

1   land, that this land was -- this

2   country was created on. And private

3   corner them with an invisible barbed

4   wire. Don't spread. Don't grow.

5   Stay where you are. This is against

6   the Constitution here.

7   We have a right. We have a

8   right to live the way we want to live.

9   We -- all the people in the annexation

10   petition are people that are hundred

11   percent. We will not have a 50

12   percent, 51 percent vote for the

13   annexation. We will have a 100

14   percent vote for the annexation. And

15   it will be a legal vote.

16   And I beg you not to waste

17   money. These studies are very

18   expensive and to duplicate the same

19   process over and over again. You're

20   doing now legally this study. Please,

21   include us, the people that -- the

22   petitioners of the 507 acres in the

23   same study, so when it comes to the

24   point, and I'm sure it will come,

1   because New York State never, ever in

2   the history have granted lead agency

3   other than the receiving party. And

4   it will be again the same thing. I am

5   sure the state will not discriminate

6   against us, and they will grant it

7   that the people that should have it.

8   And you can use the same sources and

9   study at that time when it will be

10   legal to use it for the 507 acres.

11   We have also a right, we pay

12   sewer taxes. We are in a sewer tax

13   district but we don't have the sewer

14   because there's nobody there to bring

15   it up to us. Please consider not to

16   waste money and do what is right.

17   Thank you.

18   (Applause.)

19   MR. MILLER: Before the next

20   speaker comes to the podium, I just

21   invite you again to keep your comments

22   focused on the scoping outline

23   tonight. This is not a public hearing

24   about good/bad, right/wrong for

1   annexation. This is about the

2   Environmental Impact Statement.

3   Really, let's have a scoping meeting

4   that is about the EIS. Please keep

5   your comments to the scoping outline

6   and what you think should be in this

7   Environmental Impact Statement. Thank

8   you.

9   Ben Freidman is the next

10   speaker.

11   MR. BEN FRIEDMAN: Good

12   evening. My name is Ben Freidman

13   from Kiryas Joel.

14   To the KJ leaders, what I

15   would like you to know, you are

16   embarrassing us in front of the whole

17   world. You are causing gentiles to

18   hate us, and you are creating a very

19   big chillul Hashem. Shame on you.

20   Shame on you.

21   (Applause.)

22   MR. MILLER: Next speaker is

23   Abe Muller followed by Michael

24   Morcillo. Abe Muller.

1   MR. ABE MULLER: Good

2   evening. Thank you very much, Village

3   leaders, Mayor Wieder, Town Supervisor

4   Monroe, event organizers and

5   attendance from religious Kiryas Joel

6   and the surrounding towns.

7   As a long time resident of

8   Kiryas Joel, I never had a better

9   chance to publicly express my

10   gratitude for the quality of life in

11   the Village and to convey some

12   important facts surrounding the event

13   of annexation.

14   23 years ago I married into

15   a family of a long time Kiryas Joel

16   resident. At that time Monroe and the

17   surrounding towns and villages were

18   hush in commerce and economic

19   developments. Driving around the

20   streets and the town and this area you

21   have seen the run-down shopping

22   centers, all unoccupied houses and

23   many other many under resource

24   developments were a common scene. Not

1   too long after that the Village of

2   Kiryas Joel became to expand, and they

3   are can expanding in record numbers.

4   Of course, back then some residents of

5   this area were worried that they will

6   lose out.

7   Fast forward 23 years, local

8   economics are booming. The property

9   values skyrocketed. And you

10   constantly see more shopping outlets

11   and business centers popping up in

12   every corner. It is very clear that

13   the expansion of Kiryas Joel creates

14   hundreds of jobs and benefits local

15   residents tremendously, ironically

16   people from outside KJ.

17   And third, our property

18   values, I know many people that own

19   properties in areas in the past that

20   were later annexed to Kiryas Joel. As

21   one of my good friends an old resident

22   of Monroe expressed, what's the point

23   of these people fighting annexation

24   while my father and I, a long-time

1   resident, became rich in the last 35

2   years just because of KJ. Thank you.

3   (Applause.)

4   MR. MILLER: Michael

5   Morcillo, followed by Emily Convers.

6   MR. MICHAEL MORCILLO: Thank

7   you. Michael Morcillo, resident of

8   Monroe last 26 years.

9   I have one quick question.

10   What prevents Kiryas Joel, all the

11   landowners from building on the

12   property either 164 or the 507 acres

13   without annexing? Why must it be

14   annexed? I ask for all citizens of

15   Monroe. Thank you.

16   (Applause.)

17   MR. MILLER: Emily Convers.

18   I've got one other speaker on the

19   list. If anybody still wishes to

20   speak, please add your name to the

21   sign-up sheet right now.

22   MS. EMILY CONVERS: Emily

23   Convers, and I live in the Village of

24   Monroe.

1   I received a surprising text

2   message from Administrator Szegedin a

3   few months ago. I wasn't surprised

4   that he had my number. I freely

5   publish my number in hopes that people

6   find me accessible and transparent. In

7   this text message he asked for my

8   email address. I responded to the

9   text, giving my email address.

10   Shortly thereafter I received an email

11   from Mr. Szegedin suggesting that

12   Kiryas Joel, in exchange for all of

13   the land north of Route 17, would

14   pursue separating into its own

15   municipality, a new city or town to be

16   called North Monroe. Mr. Szegedin

17   urgently asked for my agreement of

18   this plan.

19   This message was troubling

20   on a few levels. One, everything

21   north of 17 is more than the 507 acres

22   which were in the first annexation

23   petition. And two, there can be no

24   guarantee of separation since the

1   creation of the new city or town

2   requires two-thirds legislative

3   approval and a referendum or vote

4   involving all of the citizens of

5   Kiryas Joel.

6   The contact made by Mr.

7   Szegedin was immediately following an

8   attempt by the town board of Monroe to

9   pass a resolution to hand over lead

10   agency to give approval of the

11   507-acre annexation in exchange for

12   the Village of KJ pursuing a

13   separation. Monroe town board members

14   call this a win-win.

15   My response to Mr. Szegedin

16   was essentially this: Stop accusing

17   the concerned citizens of Monroe of

18   anti-Semitism; withdraw the petition

19   to annex 507 acres, and then we can

20   come to the table and have a

21   conversation. Because right now

22   you're expecting us to bow down and

23   civilly discuss this matter with a gun

24   pointed to our heads. This is not how

1   good neighbors behave.

2   It's not your faith, your

3   culture, your dress, your customs

4   which we take issue with, but your

5   behavior. I await your apology for

6   souring your citizens with hateful

7   propaganda towards us, your neighbors.

8   I will speak to you as I would my

9   child when he acts selfishly: Think

10   of others, be kind, follow the rules,

11   work hard and be a good person. All I

12   see you doing is working hard at

13   taking, and no good can come of that.

14   In consideration of the

15   aforementioned circumstances, it's my

16   belief that we should not even be here

17   tonight discussing this matter.

18   (Applause.)

19   MR. MILLER: Next speaker is

20   Joel Petlin, followed by Laura

21   Rainoff.

22   MR. JOEL PETLIN: Good

23   evening. My name is Joel Petlin. I'm

24   the school superintendent of the

1   Kiryas Joel School District.

2   I want to thank the Village

3   Board for arranging this meeting

4   today.

5   In my review of the draft

6   scoping document I noted on page six

7   that schools are covered for both a

8   review of the existing situation and

9   the potential impact of the

10   annexation. The school District is

11   already listed as an interested

12   agency, and I appreciate that, along

13   with Monroe-Woodbury School District.

14   I would be pleased to assist

15   in the development of the DGEIS as it

16   relates to educational programs. The

17   services we provide to students, data

18   to fiscal information and other

19   information you might require from the

20   Kiryas Joel School District.

21   Speakers in the past at

22   Monroe Town Board meetings have

23   expressed a number of fears regarding

24   the annexation and the impact

1   specifically to students in the

2   Monroe-Woodbury School District. Some

3   of those fears actually relate to my

4   home district, the East Ramapo School

5   District in Rockland County. Speakers

6   at those meetings have had these

7   concerns, because there is obviously

8   the potential in any area for a

9   demographic change, which would then

10   affect the composition of the board,

11   and then an economic change which

12   would then affect programs and

13   services that are provided to the

14   students of that district.

15   In response to that I spoke

16   to the Monroe-Woodbury Annexation

17   Committee in April, and I explained

18   the issues, both the tax and expense

19   setoffs and the services that are

20   generally provided by our school

21   district to the population that we

22   serve in special education and

23   transportation. I also pointed out

24   that there is a mechanism under state

1   law for a boundary alteration to exist

2   for one school district to obtain land

3   from another school district.

4   To that end my Board of

5   Education has passed a resolution on

6   May 13, 2014 that in the community

7   interests and to avoid situations

8   similar to East Ramapo, the Kiryas

9   Joel School District would be able to

10   take over the property and make it

11   part of the Kiryas Joel School

12   District if it were to happen along

13   the way that the annexation were to be

14   approved and the Monroe-Woodbury

15   School District would be in

16   concurrence. Under Section 1507

17   Education Law we would be entitled to

18   then move those boundaries to avoid

19   any uncomfortable situation that might

20   exist, and I think it would continue

21   the 25-year history of cooperation

22   that the Kiryas Joel School District

23   has had with the Monroe-Woodbury

24   School District.

1   I have brought with me

2   copies of the process for school

3   district alteration and a copy of the

4   resolution that was passed by my

5   board. Thank you.

6   (Applause.)

7   MR. MILLER: Laura Rainoff,

8   to be followed by Ward Brower.

9   MS. LAURA RAINOFF: My name

10   is Laura Rainoff.

11   I'm a resident of the Town

12   of Tuxedo in a neighborhood that's

13   part of the Monroe-Woodbury Central

14   School District. I speak specifically

15   about an issue I would like included

16   and that I do not see on the draft

17   statement, the draft outline. I join

18   in the protest that this is a

19   segmentation session. I don't approve

20   of it. I don't think it's legal, but

21   I am forced to use whatever

22   opportunity we have to say this.

23   Not based on fear but based

24   on facts, I would request that the

1   issues faced by the East Ramapo School

2   District be explicitly included in the

3   consideration of impacts on the school

4   district listed under B(2)(c), not

5   just consider Monroe-Woodbury School

6   District and Kiryas Joel School

7   District, but the history and the

8   facts that we have right down the

9   street and what those effects will

10   have on Monroe-Woodbury public school

11   district and public school students.

12   Thank you.

13   (Applause.)

14   MR. MILLER: Joel Lieberman,

15   followed by Israel Ekstein and Jeff

16   Manson.

17   MR. JOEL LIEBERMAN: Good

18   evening. My name is Joel Lieberman;

19   I'm a resident of KJ and Town of

20   Monroe. As a resident who moved there

21   a few years ago I'd like to have the

22   Village and Town of Monroe to please

23   think of our families and annex for

24   the future of our children some

1   property so we should be able to have

2   our children live close by and the

3   other families that we have close to

4   us. Thank you.

5   (Applause.)

6   MR. MILLER: Israel Ekstein,

7   to be followed by Jeff Manson. And

8   right now Jeff Manson is the last

9   speaker on the sign-up sheets.

10   MR. ISRAEL EKSTEIN: Good

11   evening. My name is Israel Ekstein.

12   I live on Seven Springs Road

13   in Monroe, New York in the town. I

14   live here for close to 40 years,

15   raised all my children here and used

16   the services of Kiryas Joel village.

17   I have to walk to the synagogue. I

18   married my children here in this

19   place. I work there every Saturday,

20   three times a Saturday. To get a

21   light just for the streets it took me

22   20 years. It's always dark, so there

23   is no sidewalks. I would wish that

24   Kiryas Joel would annex our property

1   so we will have normal sidewalks,

2   normal lightings and normal services

3   that my children can walk and come to

4   the school. And same time we don't

5   have water. We have to do our wells,

6   which has a lot of problems as you

7   know. The same with septic system.

8   We are paying a bond for I think

9   around 30 years already to get sewer

10   in our area. And in most United

11   States there is no area that so

12   populated has no sewer as here. And

13   therefore, I would be very glad and I

14   would ask if it's possible to join KJ

15   in annexation. Thank you very much.

16   (Applause.)

17   MR. MILLER: The last

18   speaker on the sign-up sheet, Jeff

19   Manson.

20   If anybody else wishes to

21   speak, please sign up in the back.

22   Thank you.

23   MR. JEFF MANSON: Good

24   evening, gentlemen. My name is Jeff

1   Manson. I'm a life-long resident of

2   Monroe.

3   At a recent Town board

4   meeting a couple of meetings ago the

5   town board had voted to allow the

6   Village of KJ to be the lead agency.

7   And at that meeting Councilman McQuade

8   asked Mr. Martin to share with us some

9   facts about the annexation, the 164

10   acres, so that we understood it

11   better. Mr. Martin shared with us an

12   interesting fact, and he explained a

13   little bit more about it after the

14   meeting for me, and I truly appreciate

15   that.

16   Now the 164 acres are part

17   of the land that the Town of Monroe is

18   required to have as high-density

19   zoning. Well, if the land is annexed

20   by your Village, then the question

21   becomes we must continue to have

22   high-density zoning in the Town of

23   Monroe if that is no longer part of

24   the Town of Monroe, so then where will

1   that high density be? And I challenge

2   and I ask you gentlemen to work with

3   the town board and finally answer that

4   question.

5   I'm a banker by trade, but

6   my avocation is historian. And I look

7   at that map and what that map is

8   telling me, the tool of my trade, it's

9   not 164 acres at issue, not 507 acres.

10   But as I look at the map you see the

11   bulge in 17 there at the end of town

12   on this side, I live right over there,

13   and there's that whole strip of land

14   between the Village of KJ and the

15   Village of Monroe and the Village of

16   Harriman. And the natural expansion

17   boundary that I believe for the town

18   of KJ and what you will be petitioning

19   with in the future is all of that land

20   right up to the borders of Monroe and

21   Harriman.

22   You have to, as you've said,

23   pay attention to the petitions you've

24   been given. David Church, who is

1   Orange County Planning Commissioner,

2   probably the biggest expert on

3   planning in this room, has said you

4   need to as part of this process

5   consider the worst-case scenario. The

6   alternatives to what's not just been

7   proposed to you so far but what may be

8   proposed to you in the future. We

9   need you to take that into

10   consideration. Because should that

11   happen, 164 acres, 507, what I have

12   just suggested to you, that is a huge

13   impact on our town. Our town, our

14   town, our town. We just want to be

15   neighbors. Please be our neighbors.

16   (Applause.)

17   MR. MILLER: Next speaker is

18   Derek Defreitas, followed by Jason

19   Gabari.

20   MR. DEREK DEFREITAS: My

21   name is Derek Defreitas. I'm a

22   resident of the Town of Monroe for the

23   last 22 years.

24   This is incredible. For

1   over a year and a half we have been

2   talking about annexation when we were

3   able -- which wasn't that often at our

4   town board meetings. Here we are

5   today, after 18 months of frustration,

6   and they are able to discuss

7   annexation inside Kiryas Joel. It's

8   amazing. And it's real. I can't

9   believe it. And yet aren't we

10   harmless? Why hasn't this been able

11   to happen before?

12   Right now there is a scoping

13   session as its called, but really it's

14   a way for us to cross the water, and

15   it's all a result of the fact that

16   there has been segmentation and that

17   this segmentation was approved by our

18   own town representatives, very

19   quickly, with a very brief agenda, by

20   surprise. And yet we are here before

21   you saying to you that we want to be

22   good neighbors, and we're wondering

23   why we can not meet with you so often.

24   Why can't you have village meetings

1   that we can be present at, and not

2   just one special session where we are

3   supposed to digest everything in this

4   scoping session. We need to meet. We

5   need to communicate. We need to

6   become the neighbors that we are

7   geographically.

8   We need to share our spirits

9   with each other, because you are here

10   to stay. And we want you to be our

11   neighbors. I'm not afraid of you.

12   But I can never meet you. I can try.

13   I can meet you one at a time if I walk

14   into the streets of Kiryas Joel. But

15   I can't call you; you won't answer. I

16   can't find things out. I don't know

17   if your own residents can meet with

18   you. Whether you have routine village

19   meetings with them. But a lack of

20   communication is a certain way to

21   create distrust and misunderstanding

22   and a lack of progress.

23   We have to continue to meet.

24   There's not much more to it than that.

```
 1        Because when we meet we realize that

 2        both sides agree on a lot of things

 3        and that we need to fine tune others.

 4        We want what's best for everyone in

 5        our community, for everyone's

 6        children.  So let's think about this.

 7               We have a scoping session

 8        right now, and I really see this as a

 9        partial attempt to solve a problem.

10        You want 507 acres, and we are here

11        for 164.  We are here to try to create

12        a remedy for only part of the body

13        when the whole body needs help.

14        Please, hold more sessions and allow

15        more people in and show all of us that

16        you really want us to be a part of

17        your community and that you don't want

18        to create a huge, huge separate entity

19        that all of us will be fearing of.  If

20        you're not afraid of us, show it.  If

21        you want to be our neighbors, show it.

22        If you care about our community, show

23        it.  Let us in.  We are not here

24        because we hate you.  We are here
```

1   because we care. So give us all a

2   chance, and let's move forward on the

3   right track. Thank you.

4   (Applause.)

5   MR. MILLER: Jason Gabari

6   followed by Steven Pava.

7   MR. JASON GABARI: How're

8   you doing. My name is Jason, and I am

9   an RN. I'm a nurse. I take care of

10   people every day of my life. I take

11   care of anybody. I take care of

12   anybody here. Anybody. And I'm not

13   racist. I'm not sexist. I don't care

14   what you believe in. I don't care who

15   you pray to.

16   I'm going to try to honor

17   the idea of a scoping thing here, and

18   I'm going to bring my concerns. My

19   concern is about unstainable growth,

20   one. How can we have populations grow

21   like this? I mean look at world and

22   what's going on globally, and look at

23   what we are going to do if we just

24   keep expanding. If we keep expanding

1   like this it is not healthy for

2   anybody here to grow like this. For

3   you guys, for us.

4   The other concern is how is

5   it healthy? I don't mean it like

6   that -- please, you're judging --

7   MR. MILLER: Would you

8   please address your comments to the

9   front, please. Mr. Gabari, address

10   your comments this way.

11   MR. GABARI: I'm sorry. We

12   should all be united. And that's not

13   good.

14   My other concern is just

15   that, on the environmental impact, how

16   can we be separated here? We -- if

17   you keep growing like this and asking

18   for more land on one side and taking

19   it, it's only going to create a

20   further divide. That divide is part

21   of an environmental impact, like a

22   cultural change of community. It may

23   not be healthy.

24   And I heard some people over

1   here today talking about how they

2   bought land and they don't have any

3   services and they live in a community.

4   I live next to a factory, and recently

5   they were trying to change the zoning

6   of the factory. When I went and

7   complained I got told, well, you

8   brought the property as it is, you

9   should live with it like that. I

10   don't want to be cold, but when you

11   buy a property that has certain laws,

12   that should be what the property is.

13   Right? I mean I don't know.

14   I really fear that the

15   communities are going to continue to

16   divide. And if you continue to do

17   this it's going to get worse, and I

18   don't think that will be good for

19   environmental impact. It's really all

20   I have to say. It's very shameful.

21   I'm very saddened by it.

22   (Applause.)

23   MR. MILLER: Steven Pava.

24   MR. STEVEN PAVA: Hi, my

1   name is Steve Pava actually.

2   I just wanted to say that

3   I'm glad I got to be here. I'm glad

4   to hear some of the comments, most of

5   the comments. I think I speak for

6   myself as a Village of Monroe, Town of

7   Monroe resident. In my practice I

8   take care of many families in your

9   village, and I'm very proud to, and we

10   treat each other with respect. I'm a

11   chiropractor, so I enjoy taking care

12   of anybody from the Village and

13   anybody from the town. We kind of

14   work together. I think the people --

15   we get along with some of the people.

16   I mean most, we get along. But the

17   government of KJ really needs to just

18   be forthcoming as far as open meeting

19   laws, FOIL requests, things like that.

20   I'm not even part of that. But I know

21   some of the people in our town try to,

22   you know, work and communicate with

23   you, and we don't get that

24   information. So in the future, as the

1   scoping goes on, as future things come

2   on, you know, I respect your families,

3   please respect our families.

4   I have two children that are

5   going to college. One is in college,

6   one is going to be in college. I

7   would like know that they can come

8   back to Monroe and live here and have

9   their children in our town. I want

10   them to be able to come back. I want

11   them to be comfortable coming back to

12   the town they know, they grew up in.

13   If we could work together, I think we

14   could work together and live together,

15   but I just wish we could work together

16   too. That's all. Thank you.

17   MR. MILLER: Ward Brower.

18   MR. WARD BROWER: Ward

19   Brower, private citizen from the Town

20   of Monroe.

21   I agree with the

22   segmentation. There is a problem.

23   That's been spoken half dozen times at

24   least. That's one of the points.

1   Another point, one of my

2   concerns is the URM, urban

3   multi-family residential zoning, 164

4   acres of that, which the Town of

5   Monroe will be losing and will have to

6   replace. Now, Monroe's quirky zoning

7   laws, that's roughly URM's, four

8   houses to the acre. Multiply it times

9   an accessory apartment, that's eight

10   houses to the acre. Multiply it by a

11   quirky little law that if you have a

12   single-family house you can convert it

13   into four, that's 32 homes in an acre.

14   Some people who have ten

15   kids to a family, that's 320 people to

16   an acre. I want you to know that's a

17   major impact that will take place if

18   Monroe has to rezone and convert

19   commercial property to URM. So at the

20   very least, Larkin Drive looks like

21   the big target area that is going to

22   impact the taxpayers. Monroe tax base

23   is sort of scary. We only have five

24   percent commercial property, and we

1   are going to lose a good chunk of that

2   five percent with high-density

3   residential, which will kill rivers,

4   kill tax budgets, kill air. This is a

5   major impact, and it needs to be

6   addressed. Thank you.

7   (Applause.)

8   MR. MILLER: I've got no

9   more speakers on the list. So if

10   anybody else wishes to speak, I'll

11   give you two minutes to sign up.

12   Otherwise we will be accepting written

13   comments until September 30th. You

14   can mail those comments to Tim Miller,

15   10 North Street, Cold Spring, New

16   York, or email to

17   tim@timmillerassociates.com.

18   I would like to thank

19   everyone for coming out tonight.

20   Thank you.

21   (Whereupon, the public

22   scoping session concluded at 8:22

23   p.m.)

24   * * * * *

C E R T I F I C A T I O N

       I, Karen Schmieder, a
Certified Shorthand Reporter, Certificate
No. 768, and Notary Public, do hereby
certify that I recorded stenographically the
proceedings herein at the time and place
noted in the heading hereof, and that the
foregoing transcript is true and accurate to
the best of my knowledge, skill and
ability.

       IN WITNESS WHEREOF, I have
hereunto set my hand this 29th day of
September 2014.

       KAREN SCHMIEDER, CSR, RMR
       Registered Diplomate Reporter

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