

MILTON B. SHAPIRO

SUSAN H. SHAPIRO

75 N. MIDDLETOWN ROAD • NANUET, NEW YORK 10954

ATTORNEYS AT LAW

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6/10/15

RE: Comments on the Village of Kiryas Joel ("KJ")
Proposed Annexation Application and
Draft Generic Environmental Impact Statement ("DGEIS")

On behalf of my client, Preserve Hudson Valley, LLC, I am requesting a printed copy of the DGEIS. My clients are directly harmed by the annexation and already commenced litigation objecting to the appointment of KJ as "lead agency" of the State Environmental Quality Review ("SEQR"). The proposed annexation isolates my clients from the rest of the Town of Monroe, resulting in reduced Town services to my clients, including but not limited to snow plowing, leaf collection and dog catcher. This annexation directly hurts my clients by reducing community services, reducing their property values, and impairing their freedom to pursue life, liberty and happiness. **The proposed annexation is not in the over-all public interest and certainly is not in the interest of my clients.**

The Swiss cheese or lace-like structured annexation with baroque boundaries, is highly irregular and is evidence of unadulterated gerrymandering. The irregularly shaped white areas within the orange annexation territory and the red area has been excluded from the annexation since the owners of these properties have not already agreed to the annexation. The yellow areas are included in the proposed 507 acre annexation as well as the 146 acre annexation. See attached color coded map (see attached Exhibit "A").

The red area on the map is the neighborhood in which my clients reside and is bordered on two sides by the Village of South Blooming Grove in the Town of Blooming Grove. The proposed annexation isolates this neighborhood from the rest of the Town of Monroe.

A. We, oppose the Annexation on the grounds that this annexation IS NOT FOR THE PUBLIC GOOD, BUT EXCLUSIVELY FOR THE GOOD OF A PRIVATE CLUB, known at the Hasidic Satmar.

The Hasidic Satmar community is a private organization which discriminates against non-white people and women. It does not represent the over-all public interests of the residences in the Town of Monroe, or the County of Orange.

B. THE PROPOSED ANNEXATION IS DISCRIMINATORY AND VIOLATES FEDERAL LAW.

The DGEIS makes it clear from the Executive Summary that the sole purpose of proposed annexation is to perpetuate residential segregation. This is a violation of Federal Fair Housing Act.

The goal of the Fair housing Act is to promote, open, integrated residential housing patterns and to prevent the increase of segregation, in ghettos, of racial group (*Otero v NYCHA*, 484 F 2d 1122, 1134 (2nd Cir. 1973).

Even under RLUIPA "Congress did not intend for religious institutions to be immune from local zoning laws," and positing that RLUIPA's exceptionally broad and inclusive language with regard to "'burdens' on religious exercise" should be interpreted to more closely mean "intentional discrimination" (See, *Wesleyan Methodist Church* at *2., 29 Seattle U. L. Rev. 805 (2006)

Allowing 500 acres of Orange County to be restricted for use by only one race, ethnic and religious group in perpetuity, discriminates against the majority of Orange County. The DGEIS states that "the annexation properties would be occupied by Hasidic families." (DGEIS 1-6).

There is no need for thousands of Satmar to live in one Village to conduct religious service, as it only requires a minyan of 13 men to conduct religious Jewish services. Only since the 1970's did the Satmar start to claim that their religion required them to live in insular communities to justify the creation exclusionary communities and land grabs. There are many different religions in the United States, there is no over-all public interest in preventing communities with differing belief systems from co-existing. It is not in the over-all public interest to facilitate in growth of segregated communities.

Segregation is the antithesis of over-all public interest and should not be a basis for an annexation of land which more than doubles the size of the existing Village.

Many other religious and ethic groups would also enjoy the luxury of having their families, for generations, live in close proximity to one another. However the natural integration throughout the United States makes this uncommon. **The laws of the United States do not allow for exclusionary housing developments for one race, religion or ethic group** because it goes against the basic tenant of the United States constitution to favor one religious group over all others.

The claimed need to live within walking distance of a temple is also a false claim. Many of the life long students in the Hasidic community are rabbis, and many of their homes are listed as tax-exemption houses of worship. There is no hardship or undue burden for groups of Hasidic families to move elsewhere in the United States and practice their religion without interruption. The Torah does not require the creation of a ghetto for the Jewish people in the Town of Monroe.

The DGEIS’s justification for the annexation, that is necessary for the practice of the Hasidic religion, is not valid, as it does NOT impose a substantial burden on the person, assembly or institution, any more than a large community who would like to live near one another, but due to circumstances need to move further away.

Amish/ Pennsylvania Dutch communities, have set an example of continuing their religion and society, yet in enclaves throughout the country. The Amish, have a distinct way of life, yet they co-exist with their neighbors by following the zoning and planning laws of the areas where they settle, instead of trying to annex land and coerce already established communities to bend to their will.

The DGEIS’s claim that KJ exclusionary use of the annexation territory imposes a substantial burden on the religious exercise of the people who already live on a large portion of the annexation territory.

The proof that KJ is discriminatory is in the U.S Census provided as Appendix H of the DGEIS.

According to the 2010 U.S. Census, the racial make up of Orange County and the communities surrounding KJ are as follows:

	White	Black	Hispanic	Asian
Orange County	77.20%	10.18%	18.02%	2.39%
Town of Monroe	91.28%	2.2%	8.43%	2.48%
Town of Blooming Grove	84.53%	6.22%	15.03%	2.25%
Town of Woodbury	79.12%	6.47%	14.75%	6.10%
Village of Harriman	66.87%	13.41%	18.11%	10.35%
Village of Kiryas Joel	99.16%	0.09%	1.34%	.06%

This shows a clear pattern of discrimination within the Village of KJ, as it is disproportionately almost 100% white. This is highly unusual. Very few, if any other municipalities in the United States, are so deeply segregated racially.

If the Annexation was to be allowed what guarantees are there that the homes built the annexation territory will be available for sale or ren to all Americans without

discrimination due to race or religion? What guarantees are in place that African Americans, Asian, Indians, Native Americans, Christian, Hindu, Muslim or Atheists will have an opportunity to buy or rent homes in the annexation territory?

There are no guarantees that properties will be advertised to the general community in English? Historically properties which are being sold or rented in KJ are not advertised in local papers and only those already within in the segregated KJ community even know of homes for sale or rent. This too violates the Fair Housing Act.

Based on KJ's current practices the annexation if permitted, will result in the annexation territory to be ceded to a discriminatory municipality in violation of the basic principals of the United States.

Discriminatory housing practices are a very serious violation of federal law and must not be condoned by any of the Town Board members. **If the Town Board members and Village Trustees vote to support discriminatory land use, they will be violating their oaths of office. Standard oaths of office include the following language, *"I do solemnly swear that I will support the constitution of the United States, and the constitution of the State of New York, and that I will faithfully discharge the duties of the office my according to the best of my ability."***

It should be noted that today, June 10, 2015, when I requested copies of the Village officers oaths of office, I was told that I could not have copies, and that I needed to contact the Town attorney. This violates Village Law, §4-402(e) and the Department of State's Local Government handbook which requires the Village Clerk "on demand of any person produce for inspection the books, records, and papers of his/her office during office hours, and shall furnish a copy of any portion thereof, certified in the proper form to be read in evidence, upon payment of his fees therefor, at the rate of twenty cents per folio. This is evidence that the Village does not have the capacity to abide by the laws of the State of New York and is incapable of properly being Lead Agency for the SEQR review.

The DGEIS asserts that KJ's population growth would happen with or without the proposed annexation. Does this mean the Village is contemplating violations of New York building and fire codes which limit occupancy of buildings for reasons of public safety? This statement is not based in fact, as population growth was much quicker when more space was available within Village in the 1990s, than it has been over the last several years.¹

¹ United States Census data 1990 to 2010

² Bd. of Trustees of Spring Valley v Town of Ramapo, 265 Ad 2d 519, 694 NYS 2d 712, 714 (2d

No Village, Town or City has the right to unlimited growth just because of a claim that all their generations need to live together. Families of all different races and religious beliefs are required to spread out and live in different parts of the nation. America is a big place. **It violates the very tenets of democracy to allow for religious or racial segregation for the benefit of one group. The Satmar are claiming religious beliefs to effectuate a land grab. The Satmar's private religious club, excludes people that are not white and who are not of the same religious sect.**

C. PROPOSED ANNEXATION VIOLATES NEW YORK STATE MUNICIPAL ANNEXATION LAW (SECTION 700):

The DGEIS makes it clear that the territory, if annexed, will be re-zoned in accordance with KJ's zoning code. Annexation Law expressly prohibits annexation for the purpose of rezoning.

"Annexation may not be used as a means by which the owner of the land in a municipality may escape the effect of that municipality's local legislations by having the land transferred to an adjoining municipality."²

In KJ's current zoning code there is **"no maximum density (units per acre)"** (DGEIS 1-1) Whereas ththe Town of Monroe zones for the annexation territory is RR-1.0AC allowing 1 single family house with optional auxiliary per acre; and RR-3AC allowing 1 single family house and an optional auxiliary apartment per 1.5 acres.

N.Y. Gen. Mun. Law §715: Annexation Law does no provide for the annexation of a school district outside of a city with less than population of 125,000.

This annexation cannot proceed without state legislative action since the establishment of KJ and Monroe-Woodbury school districts and their coterminous boundaries where established by State Legislative action.

N.Y. Gen. Mun. Law §713: The proposed annexation is known as the "five fingers" because it is an attempt to add additional acres to the Village from five distinct sides of the Village.

Since the annexation requires **"the consent of the people of the territory proposed to be annexed, a vote by all the residents of the "five fingers" will violate the voting rights of the residents of each one of the "five fingers".** Each "finger" has a distinct group of interested people with standing to vote only on the annexation which directly impacts their property.

² Bd. of Trustees of Spring Valley v Town of Ramapo, 265 Ad 2d 519, 694 NYS 2d 712, 714 (2d Dept. 1999)

To allow all of the annexation area residents to vote, would be a dilution of an individual residents voting rights. Impairing a citizen's voting rights, which is also a violation of federal law and the 14th Amendment of the Constitution.

D. IMPACTS ARE NOT CONSIDERED IN DGEIS

1. The DGEIS fails to consider environmental impacts beyond 2025.

The DGEIS fails to consider the repercussion of this annexation beyond 10 years, since it only projected impacts until 2025. The DGEIS fails to consider the full impacts this annexation will have on the Regional Water Supply and Sewage systems; on the environment from loss of all the green space in the annexation territory; the dramatic change to the community character caused by the enlarged segregated community; the increased traffic patterns due to enormous increase in population; nor the strain on all community services, including schools and emergency services beyond 2025.

In the Full Environmental Assessment Form reference to development is checked off as "no". This is deeply misleading and disingenuous as the DGEIS itself main claim is that the need for the annexation is to develop the annexation territory to a very high density to accommodate and endlessly expanding population.

The SEQRA fails to consider future development or the environmental impacts of future development, it simply considers the annexation of land, nothing more. Yet on its face the DGEIS contemplates a dramatic increase in population density on the proposed annexed territories.

However the DGEIS is replete with references to KJ's plans to densely develop the annexation territory, including plans that significantly impact regional water resources and sewer treatment facilities.

2. The DGEIS provide misleading and inaccurate information regarding Water Supply for the Annexation Territory.

The DGEIS is based on KJ's unapproved hope that KJ will be given approval to tap into the NYC Catskill Aqueduct. At this time no agreements or approvals exist for this connection, nor has KJ demonstrated an ability to provide the necessary back up water supply needed to tap into the NYC water supply.

To date KJ does not have permission from New York City Department of Environmental Protection ("DEP") to access the Catskill Aqueduct in New Windsor, or for permits from

the NYS DEC to utilize the wellfield in Mountainville.

The claims in the DGEIS that KJ will have either water supply is wishful thinking and therefore is inaccurate and misleading. KJ's application to New York State Department of Environmental Conservation ("DEC") to utilize the Mountainville wellfield water supply remains suspended while the DEC awaits the village's response to comments made at a 2014 hearing regarding the project.³

The entire annexation plan relies on this unapproved water supply.

In the alternative the DGEIS states that KJ may be planning to use a new well in Cornwall, as their primary new water supply, long-term and perhaps permanently. If KJ plans to rely totally on local wells for water for an annexation territory, and there is a severe risk that this will deplete flow in some streams, including a trout stream here in Cornwall, the Woodbury Creek. This too negatively impacts Orange County in general as it negatively impacts the water supply for people residing outside of the Town of Monroe and the Village of KJ and is of countywide and region concern.

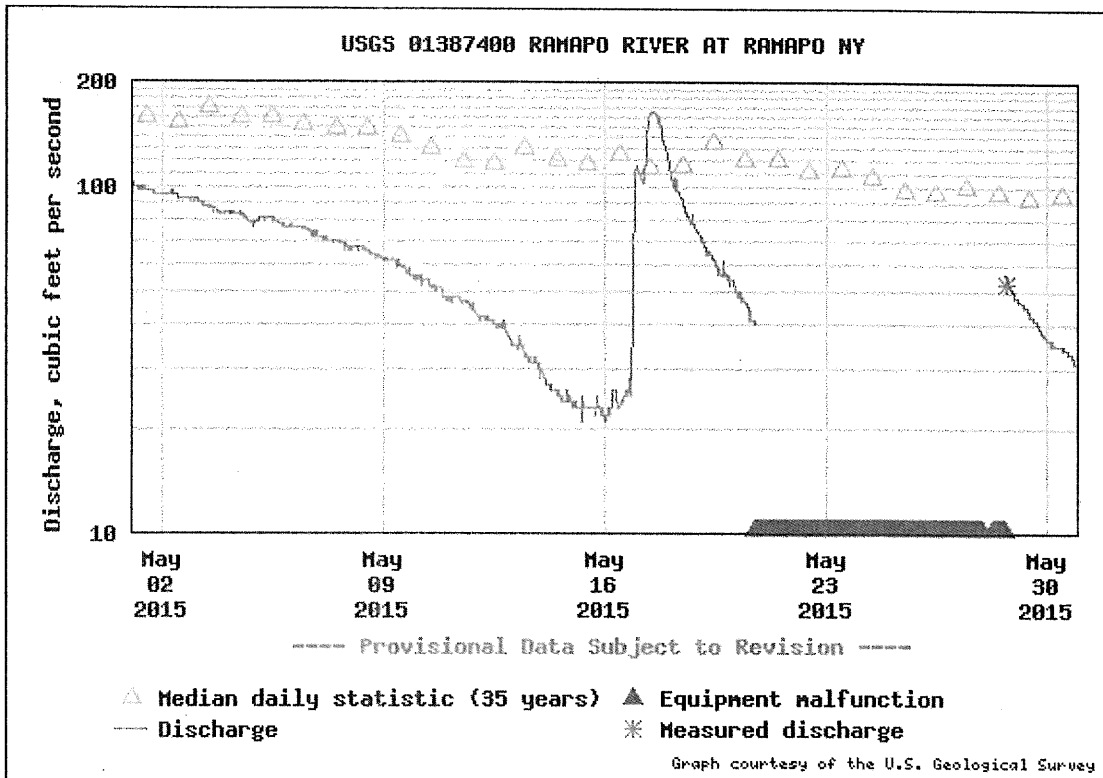
3. The DGEIS provide misleading and inaccurate information regarding Sewer Treatment Facilities and costs for the Annexation Territory

The DGEIS is replete with references to KJ's plans to densely develop the annexation territory, including plans to impact sewer treatment facilities which will in turn negatively impact the health of the Ramapo River watershed which supplies drinking water to Rockland County and Northern New Jersey.

The SEQR fails to consider the proposed annexation impacts on the regional New York State water supply, fails to consider the impacts increase sewage/waste water produced by the increase population being projected to live in the annexed territory will have on the interstate water supply of Rockland County and Northern New Jersey. The health of the Environmental Protection Agency ("EPA") protected Sole Source Ramapo-Mahwah Aquifer System will be negatively impacted by highly dense development in the annexation area, which will be sending its waste water into the Ramapo River and aquifer system.

See the graph below. Just during that little dry period in May 2015, the Ramapo River was flowing at about 25 cubic feet per second (or about 16 mgd) for about a week. Since about 8 mgd of that flow is wastewater discharges, the river was one-half wastewater. With new discharges from Kiryas Joel wastewater will become the primary source of water to the Ramapo Valley well field during the summer months.

³ <http://thephotonews.com/apps/pbcs.dll/article?AID=/20150604/NEWS01/150609972/0/EXPERTS24/KJ-water-pipeline-holdup> By Nathan Mayberg, June 4, 2015



This annexation could result in nearly 1 million gallons per day (mgd) of wastewater which will flow over (and into) the Ramapo Valley well field, which will need treatment. The cost of new water treatment equipment to protect the well field will be millions of dollars in, to be paid by UWN Y customers, outside of the Village. This unjustly transfers the costs of KJ's growth on others.

4. Proposed Annexation will disproportionately cost and negatively impact the residents and taxpayers of Orange County, and New York State.

According to the 2010 Census the Village of KJ has more people living under the poverty line than any place else in the U.S.A. "Half of the residents receive food stamps, and one-third receive Medicaid benefits and rely on federal vouchers to help pay their housing costs."

Granting permission for KJ to expand its 320 acre territory to 820 acres will greatly increase the financial burden of supporting the impoverished Village, on the residents of the Town of Monroe, the Monroe Woodbury School District, the County of Orange and the State of New York.

Since there are no restrictions on density in the KJ Village code it encourages overpopulation, even though the resources to sustain the growing population do not exist without negatively impacting other communities.

The DGEIS does not identify or take a “hard look” at the disproportionate costs to the taxpayers of the Town of Monroe , Orange County and New York State in supporting the improvised community of KJ who receives a large portion of governmental subsidies.

E. KJ HAS LARGE HISTORY OF ENVIRONMENTAL VIOLATIONS AND NON-COMPLIANCE WITH ENVIRONMENTAL PROTECTION AGENCY REGULATIONS, NYS DEC REGULATIONS AND SEQRA.

Please see attached a sampling of 167 pages the environmental violations and fines issued by EPA and DEC against KJ involving destruction and pollution of the wetlands and waters of the United States and New York State jurisdictional wetlands. (See attached Exhibit “B”).

On October 23, 2014 United State Attorney for the Southern District of New York Preet Bharara filed a Complaint seeking civil penalties for violations of the Clean Water Act for discharging pollutants in the Waters of the United States.⁴ As a result, a recent Consent Order was signed, fining the polluters for approximately \$600,000. This is clear evidence that KJ does not enforce Clean Water Act regulations within the Village.

The recent appearance of signs within the Village of KJ which explicitly ask women to walk on the other side of the road from men, and to only wear a certain kind of attire, is sexist, violates women’s rights, and is reminiscent of the Jim Crow signage, “Whites Only” and “Negros Only”, which were outlawed in the 1960’s. (see attached Exhibit “C”).

CONCLUSION

In conclusion, the Annexation Petition and the DGEIS are fatally flawed for the following reasons:

- a. Does not consider impacts past 2025;**
- b. Fails to consider the Countywide and Regional impacts;**
- c. Ignores Village serial non-compliance history of Clean Water Act and environmental violations;**
- d. Fails to consider public interest in protecting environment;**
- e. It is discriminatory and violates Federal Fair Housing Act;**
- f. It violates New York State’s Municipal Annexation laws;**
- g. It violates EPA and DEC’s SEQR regulations by providing misleading and inaccurate information;**

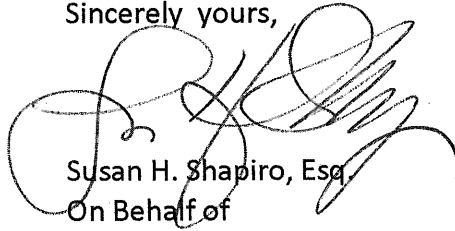
⁴ United State of America v Kiryas Joel Poultry Processing Plant, et al. (14 Civ. 8458, U.S.D.C.S.D.N.Y. filed October 23, 2014)

h. It is not in the over-all public interest.

Additionally we adopt and incorporate, all objections made to the annexation and the DGEIS in the public hearings or in writing, as own.

It would be arbitrary, capricious and without reason for the Town Boards to approve this SEQR or either annexation of 507 acres or 164 acres respectively, and would violate the oath of office each Board member took to uphold the constitutions of the United States and New York States.

Sincerely yours,

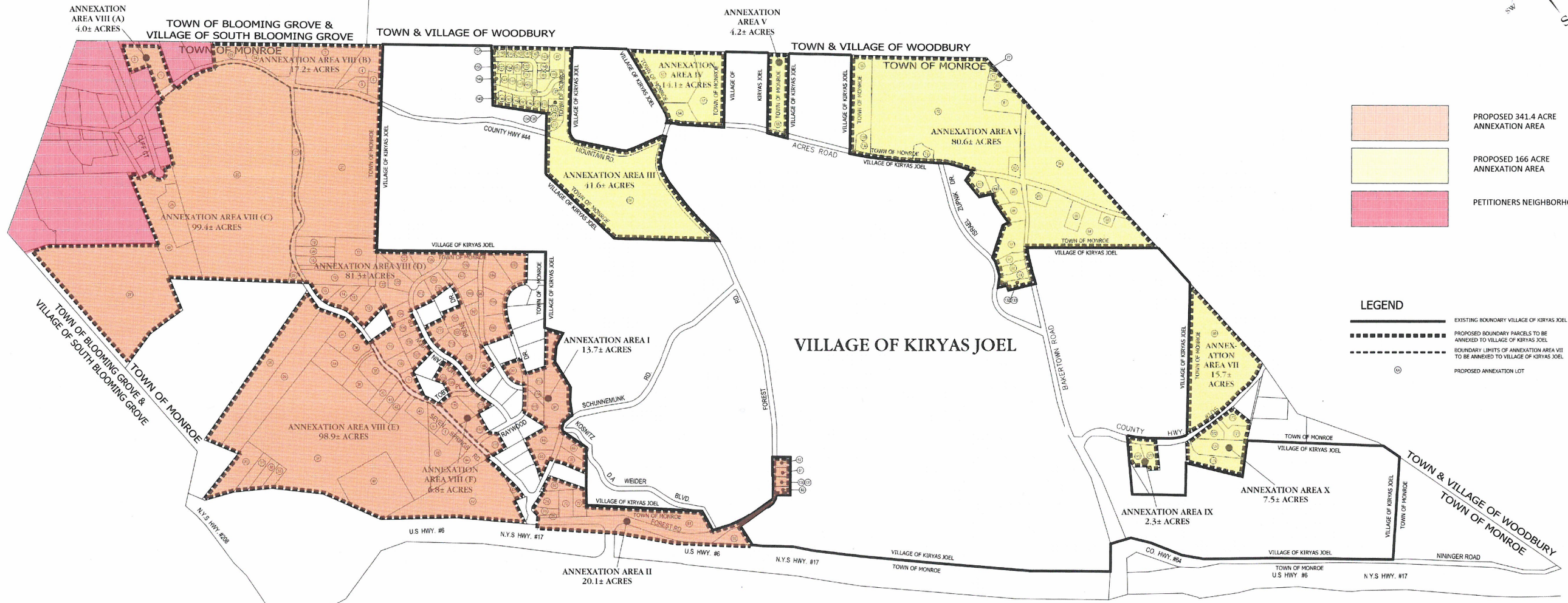
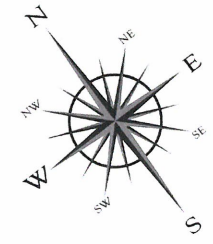
A handwritten signature in black ink, appearing to read 'Susan H. Shapiro', written over the typed name.

Susan H. Shapiro, Esq.

On Behalf of

Preserve Hudson Valley, LLC

EXISTING AREA OF THE VILLAGE OR KIRYAS JOEL: APPROXIMATELY 700 ACRES
 PROPOSED ANNEXATION AREA: APPROXIMATELY 510 ACRES
 PROPOSED TOTAL AREA OF THE VILLAGE OF KIRYAS JOEL: APPROXIMATELY 1,210 ACRES



AREA	ACRES
I	13.7±
II	20.1±
III	41.6±
IV	14.1±
V	4.2±
VI	80.6±
VII	15.7±
VIII (A)	4.0±
VIII (B)	17.2±
VIII (C)	99.4±
VIII (D)	81.3±
VIII (E)	98.9±
VIII (F)	6.8±
IX	2.3±
X	7.5±
TOTAL: 10 AREAS	507.4± ACRES

PROPOSED ANNEXATION LOT TABLE

ANNEX LOT #	TOWN OF MONROE	ANNEX LOT #	TOWN OF MONROE	ANNEX LOT #	TOWN OF MONROE	ANNEX LOT #	TOWN OF MONROE	ANNEX LOT #	TOWN OF MONROE	ANNEX LOT #	TOWN OF MONROE
1	17-42	31	17-43	61	17-15	91	17-16.1	121	17-17	151	17-18
2	17-43	32	17-44	62	17-16	92	17-17.1	122	17-18.1	152	17-19
3	17-44	33	17-45	63	17-17	93	17-18.1	123	17-19.1	153	17-20
4	17-45	34	17-46	64	17-18	94	17-19.1	124	17-20.1	154	17-21
5	17-46	35	17-47	65	17-19	95	17-20.1	125	17-21.1	155	17-22
6	17-47	36	17-48	66	17-20	96	17-21.1	126	17-22.1	156	17-23
7	17-48	37	17-49	67	17-21	97	17-22.1	127	17-23.1	157	17-24
8	17-49	38	17-50	68	17-22	98	17-23.1	128	17-24.1	158	17-25
9	17-50	39	17-51	69	17-23	99	17-24.1	129	17-25.1	159	17-26
10	17-51	40	17-52	70	17-24	100	17-25.1	130	17-26.1	160	17-27
11	17-52	41	17-53	71	17-25	101	17-26.1	131	17-27.1	161	17-28
12	17-53	42	17-54	72	17-26	102	17-27.1	132	17-28.1	162	17-29
13	17-54	43	17-55	73	17-27	103	17-28.1	133	17-29.1	163	17-30
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22	17-63	52	17-64	82	17-36	112	17-37.1	142	17-38.1	172	17-39
23	17-64	53	17-65	83	17-37	113	17-38.1	143	17-39.1	173	17-40
24	17-65	54	17-66	84	17-38	114	17-39.1	144	17-40.1	174	17-41
25	17-66	55	17-67	85	17-39	115	17-40.1	145	17-41.1	175	17-42
26	17-67	56	17-68	86	17-40	116	17-41.1	146	17-42.1	176	17-43
27	17-68	57	17-69	87	17-41	117	17-42.1	147	17-43.1	177	17-44
28	17-69	58	17-70	88	17-42	118	17-43.1	148	17-44.1	178	17-45
29	17-70	59	17-71	89	17-43	119	17-44.1	149	17-45.1	179	17-46
30	17-71	60	17-72	90	17-44	120	17-45.1	150	17-46.1	180	17-47

AFR Engineering and Land Surveying, P.C.
 PROFESSIONAL ENGINEERS AND LAND SURVEYORS
 110 Stage Road, Monroe, NY 10950 - 845-782-8681 - 845-782-4212(Fax)
 30 Madison Avenue, Paramus, NJ 07652
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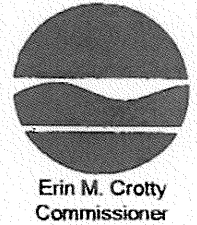
ANNEXATION MAP
 From the Town of Monroe
 To the Village of Kiryas Joel
 Orange County, New York

ANNEXATION PETITION
EXHIBIT "B"

DATE: DECEMBER 26, 2013 SCALE: 1" = 500' SHEET: 1 OF 1

EXHIBIT A

New York State Department of Environmental Conservation
Office of Natural Resources, Region 3
21 South Putt Corners Road, New Paltz, New York 12561-1696
Phone: (845) 256-3057 • FAX: (845) 255-4659
Website: www.dec.state.ny.us



September 24, 2003

NOTICE OF VIOLATION

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

MR. GEDALYE SZEGEDIN
VILLAGE CLERK
VILLAGE OF KIRYAS JOEL
P.O. BOX 566
MONROE, NY 10950

Dear Mr. Szegedin:

On August 14, 2003 and August 21, 2003, the Department found your property located south of Meron Drive & West of Bakertown Road, Kiryas Joel in violation of Article 24 of the NYS Environmental Conservation Law. In summary the violations include: 1) a shale access road to a well drilling site--total 0.3 acre of fill in wetland and adjacent area, consisting of approximately 375 cubic yards of fill in adjacent area and 22 cubic yards in wetland; 2) sedimentation into wetland and adjacent area from well drilling--total 0.1 acre of fill, consisting of approximately 69 cubic yards in adjacent area and 23 cubic yards in wetland; 3) shale fill material in wetland and adjacent area at second site, approximately 22 cubic yards filled in wetland and 15 cubic yards in adjacent area; 4) fill and uncontrolled erosion and sedimentation into wetland along both sides of Meron Drive--an affected area of 0.2 acres with about 125 cubic yards of material into the wetland. You are directed to immediately to stop violating Article 24.

BE ON NOTICE THAT any implementation of reclamation activities at these sites in no way affects the rights of NYSDEC to seek penalties and other relief in accordance with the Environmental Conservation Law and the rules and regulations promulgated pursuant thereto.

Please contact Mr. Vincent Altieri, Regional Attorney at (845) 256-3037, within (5) business days of the receipt of this letter to set up a compliance conference in order to address the above violations.

Sincerely,

Douglas Gaugler
Conservation Biologist

cc: V. Altieri

SENDER COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Gedalye Szegedin
 Village Clerk
 Village of Kings Joel
 P.O. BOX 566
 Monroe, NY 10950

2. Article Number

(Transfer from service label)

7002 2030 0002 8008 3146

PS Form 3811, August 2001

Domestic Return Receipt

102595-02

A. Signature Agent Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

EXHIBIT B

New York State Department of Environmental Conservation

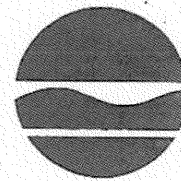
Office of General Counsel, Region Three

21 South Putt Corners Road

New Paltz, New York 12561 - 1696

Phone: (845) 256-3037 • FAX: (845) 255-3042

Website: www.dec.state.ny.us



Alexander B. Grannis
Commissioner

CERTIFIED MAIL, RETURN RECEIPT REQUESTED: 7005 0390 0005 4038 6163

March 6, 2008

NOTICE OF VIOLATION

Mr. Gedalye Szegedin
Village Clerk
Village of Kiryas Joel
PO Box 566
Monroe, NY 10950

Dear Mr. Szegedin:

The Department is planning to commence formal enforcement proceedings against the Village of Kiryas Joel. The Department requests you attend a compliance conference on behalf of the Village within two weeks of the date of this letter. The purpose of the compliance conference is to resolve a number of Kiryas Joel's violations of the Environmental Conservation Law.

These violations include ECL Article 24 and 6NYCRR Part 663.4, specifically, filling in of a New York State Class 2 Wetland (MO-11) off Bakerstown Road related to well drilling construction. The discussions will include existing Article 17 storm water cases within the Village of Kiryas Joel, specifically Bakerstown Road Business Center, Mountain Hill Construction Corp, Acres Development, and Affordable Housing Construction. Discussions may also include the Village's role in the Municipal Separate Storm Sewer Systems program. KJ Poultry Processing Company's sporadic illegal intermittent sewage discharges will also be discussed since the violation discharges to the Kiryas Joel storm sewer system.

If the village fails to attend the compliance conference as requested, the Department will be required to commence immediate legal action to seek redress of these environmental violations. Please take notice that, in such event, the Department Staff will seek the assessment of statutory penalties at substantially higher levels than initially proposed, in accordance with the applicable enforcement guidance policy and statutory authority.

If you have any questions, I can be reached at the telephone number noted above. Please contact John Parker, Regional Attorney, at (845) 256-3037, within (5) business days of the receipt of this letter to set up the compliance conference.

Sincerely,

Joseph Battista
Regional Enforcement Coordinator

cc: W. Janeway
J. Parker
T. Rudolph
Douglas Gaugler
Natalie Browne

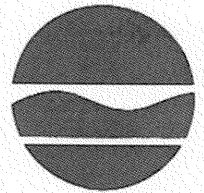
EXHIBIT C

**New York State Department of Environmental Conservation
Division of Fish, Wildlife and Marine Resources, Region 3**

21 South Putt Corners Road, New Paltz, New York 12561-1620

Phone: (845) 256-3000 • FAX: (845) 255-4659

Website: www.dec.ny.gov



Alexander B. Grandis
Commissioner

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

March 25, 2008

NOTICE OF VIOLATION

Mr. Gedalye Szegedin
Village Clerk
Village of Kiryas Joel
PO Box 566
Monroe, NY 10950


Dear Mr. Szegedin:

This Department has determined that certain road improvements made to van Buren and Meron Drives in the Village have been completed in violation of Article 24 of Environmental Conservation Law, the Freshwater Wetlands Act. These improvements would have required a valid permit from DEC to proceed, as noted in 6 NYCRR Part 663 (20) and (28). The improvements include widening and paving of an existing dirt road in Wetland MO-11, and placement of a concrete box culvert, all within the wetland and its 100 foot adjacent area.

Please note that any implementation of reclamation activity at the site in no way affects the right of NYSDEC to seek penalties and relief in accordance with Environmental Conservation Law and the rules and regulations promulgated pursuant thereto.

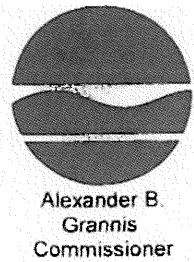
Please contact John Parker, Regional Attorney, at (845) 256-3037, within five (5) business days if receipt of this letter to set up a compliance conference on this matter.

Sincerely,


Douglas Gaugler
Biologist I

cc: J. Battista
J. Parker
W. Janeway

EXHIBIT D



May 19, 2009

NOTICE OF VIOLATION

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

#7008-1300-0001-7836-4701

Village of Kiryas Joel
Mr. Gedalye Szegedin, Village Clerk
P.O. Box 566
Monroe, NY 10950

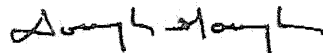
Dear Mr. Szegedin:

On March 12, 2009, the Department found your site located at Meron Drive in violation of Article 24 of NYS Environmental Conservation Law (Freshwater Wetlands Act). In summary the violations are: filling and paving of protected freshwater wetland MO-11 and adjacent area, *without current, valid permit*, in connection with extension of Meron Drive from van Buren Drive to Bakertown Road; and placement of box culverts in this wetland, in a tributary of the Ramapo River, *without current, valid permit*.

BE ON NOTICE THAT implementation of reclamation activities at the site in no way affects the rights of NYSDEC to seek penalties and other relief in accordance with the Environmental Conservation Law and the rules and regulations promulgated pursuant thereto.

Please contact Carol Krebs, Assistant Regional Attorney, at (845) 256-3038 within (5) business days of the receipt of this letter to set up a compliance conference in order to address the above violations.

Sincerely,

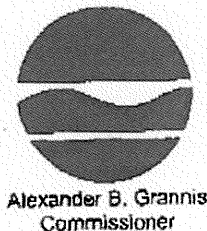


Douglas Gaugler
Biologist I

cc: C. Krebs, DEC Legal Affairs
J. Parker, Regional Attorney

EXHIBIT E

New York State Department of Environmental Conservation
Division of Water, Region 3
100 Hillside Avenue Suite 1W White Plains, New York 10603-2860
Phone: (914) 428-2505 • FAX: (914) 428-0323
Website: www.dec.state.ny.us



August 16, 2007

Abraham Weider, Mayor
Village of Kiryas Joel
P.O. Box 566
Monroe, NY 10949

Notice of Violation

Re: SPDES General Permit for Storm water Discharges from MS4s-GP-02-02

Dear Mr. Weider:

There have been violations of this Department's stormwater regulations at numerous sites within the Village of Kiryas Joel. These sites include Acres Road Development, Teverya Estates, Mountain Road Management, Bakertown Road Office Building and Affordable Housing. As a SPDES GP-02-02 regulated municipality, the Village is responsible for the development and implementation of a local law regarding erosion and sediment control. The Village is also responsible for routine site inspections of construction projects regulated by the local law. Proper enforcement of local law is a vital part of the MS4 program.

Failure to properly regulate and monitor construction projects discharging to the Village's storm water collection system may result in the contravention of the New York State Water Quality Standards (6NYSRR, Chapter X, Part 703.2) in the receiving water. Contravention of the standards is a violation of the Article 17-0501 of the Environmental Conservation Law (ECL). As the operator of the storm water collection system, the Village may be held responsible for that violation. Additionally, the Village is in violation of GP-02-02 and Article 17-0803 of the ECL. Article 17 violations are subject to penalties of up to \$ 37,500 per violation, per day. Violations of Article 17 of the ECL will result in the appropriate compliance action by this Department.

A meeting has been arranged to discuss this violation. It has been scheduled for Wednesday September 19, 2007 at 10:00 in our White Plains office. Please call by Monday September 17 to confirm your attendance.

If you have questions, I can be reached at the above phone number , extension 354.

Sincerely,

Natalie Browne
Natalie Browne

Environmental Program Specialist

cc: Patrick Ferracane - NYSDEC
Gedalye Szegedin, Village Administrator - Village of Kiryas Joel

EXHIBIT F

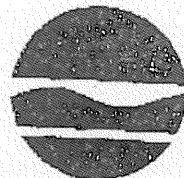
New York State Department of Environmental Conservation

Division of Water, Region 3

100 Hillside Avenue Suite 1W White Plains, New York 10603-2860

Phone: (914) 428-2505 - FAX: (914) 428-0323

Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

March 27, 2008

Mr. Abraham Weider, Mayor
Village of Kiryas Joel
P.O. Box 566
Monroe, NY 10949

Notice of Violation

Re: SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems, GP-02-02

Dear Mr. Weider:

On January 15, 2008, an inspection of the Acres Road construction project was performed by this Department. Numerous erosion and sediment control deficiencies were noted at the construction site. A notice of violation was issued to the owner. As a SPDES GP-02-02 regulated municipality, the Village is responsible for the development and implementation of a local law regarding erosion and sediment control. The Village is also responsible for routine site inspections of construction projects regulated by the local law. Proper enforcement of local law is a vital part of the MS4 program.

Failure to properly regulate and monitor construction projects discharging to the Village's stormwater collection system may result in the contravention of the New York State Water Quality Standards (6 NYCRR, Chapter X, Part 703.2) in the receiving water. Contravention of the standards would be in violation of the Article 17-0501 of the Environmental Conservation Law (ECL). As the operator of the stormwater collection system, the Village would be held responsible for that violation. Additionally, the Village is in violation of GP-02-02 and Article 17-0803 of the ECL. Article 17-0803 are subject to penalties of up to \$37,500 per violation, per day. The violations of Article 17-0803 have been referred to our Division of Legal Affairs for the appropriate compliance action.

On August 27, 2007, it was observed that the Kiryas Joel chicken processing plant was discharging waste into the village's storm sewer system. This is also a violation of SPDES GP-02-02 and Article 17-0803 of the ECL. The village must control illicit discharges entering the village's storm sewer system.

If you have questions, please contact me at the above number, extension 354.

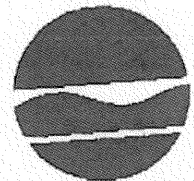
Sincerely,

Natalie Browne
Natalie Browne
Environmental Program Specialist

cc: John Parker, Esq. - Regional Attorney, NYSDEC

EXHIBIT G

New York State Department of Environmental Conservation
Division of Water, Region 3
100 Hillside Avenue Suite 1W White Plains, New York 10603-2860
Phone: (914) 428-2505 • FAX: (914) 428-0323
Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

June 8, 2009

Certified Mail #7001 1940 0001 9909 2309

Mr. Abraham Weider, Mayor
Village of Kiryas Joel
P.O. Box 566
Monroe, NY 10949

Notice of Violation

Re: SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems, GP-0-08-002

Dear Mr. Weider:

On May 22, 2009, an inspection of the Mountain Hill construction project on Meron Drive was performed by this Department. At the time of the inspection, erosion and sediment controls were insufficient. In addition, the site was in violation of the stop work order issued September 17, 2007 and again on May 4, 2009. Please refer to the attached Notice of Violation issued to the developer.

As a SPDES GP-0-08-002 regulated municipality, the Village is responsible for the development and implementation of your local law regarding erosion and sediment control. The Village is also responsible for routine site inspections of construction projects regulated by the local law. Proper enforcement of local law is a vital part of the MS4 program.

The Village is in violation of GP-0-08-002 and Article 17-0803 of the Environmental Conservation Law for not implementing Minimum Measure Four of SPDES GP-0-08-002. Article 17-0803 violations are subject to penalties of up to \$37,500 per violation, per day. This violation of Article 17-0803 will be referred to our Office of General Counsel for the appropriate compliance action.

If you have questions, please contact me at the above number, extension 354.

Sincerely,

Natalie Browne
Natalie Browne

Environmental Program Specialist

cc: John Parker, Esq. - Regional Attorney, NYSDEC
Patrick Ferracane - Division of Water, NYSDEC

New York State Department of Environmental Conservation
Division of Water, Region 3
100 Hillside Avenue - Suite 1W, White Plains, New York 10603-2860
Phone: (914) 428-2505 • FAX: (914) 428-0323
Website: www.dec.state.ny.us



May 27, 2009

Certified Mail #7099 3220 0006 4081 5480

Chaim Werczberger
Mountain Hill Construction
4 Susev Court Apt. 111
Monroe, NY 10950

Notice of Violation/Stop Work Order

Re: Mountain Hill Construction
Meron Drive, Village of Kiryas Joel
SPDES General Permit for Stormwater Discharges from Construction Activity
Notice Of Intent #NYR10L655

Dear Mr. Werczberger:

PLEASE BE ADVISED that an inspection was performed on May 2, 2009 of the Meron Drive site referred to above and Department staff determined it is in violation of the stop work order issued September 18, 2007 and re-issued May 5, 2009. This stop work order was issued in accordance with Part V A of SPDES GP-02-01 and Part VII A of SPDES GP-0-08-001.

THE DEPARTMENT AGAIN ORDERS A STOP TO ALL CONSTRUCTION ACTIVITIES, EXCLUSIVE OF THAT WORK NECESSARY TO CORRECT THE AFOREMENTIONED EROSION AND SEDIMENT CONTROL DEFICIENCIES, UNTIL THIS DEPARTMENT NOTIFIES YOU IN WRITING THAT CONSTRUCTION ACTIVITIES MAY RE-COMMENCE. FAILURE TO ABIDE BY THIS STOP WORK ORDER WILL RESULT IN ADDITIONAL PENALTIES UNDER THE ENVIRONMENTAL CONSERVATION LAW. THIS IS BEING ISSUED IN ACCORDANCE WITH PART VII A OF SPDES GP-0-08-001.

PLEASE BE FURTHER ADVISED that the inspection was also performed to determine compliance with this Department's SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-08-001). Erosion and sediment control measures at the site were determined to be inadequate at the time of this inspection. Please refer to the attached inspection report form for more detailed information. Inadequate erosion and sediment controls are a violation of GP-0-08-001. Inadequate erosion and sediment control practices may result in the contravention of the New York State Water Quality

Standards in the receiving water. *Please see* 6 NYCRR § 703.2. Contravention of the Water Quality Standards is a violation of Environmental Conservation Law Article 17 and is subject to penalties of up to \$37,500 per day, per violation. **PROPER EROSION AND SEDIMENT CONTROL MEASURES MUST BE INSTALLED AT THE SITE IMMEDIATELY.**

This violation is being referred to our Office of General Counsel for the appropriate enforcement action.

If you have any questions, I can be reached at the above phone number, extension 354.

Sincerely,

Natalie Browne

Natalie Browne
Environmental Program Specialist

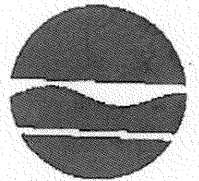
cc: Village of Kiryas Joel Building Department

ecc: John Parker, Esq., Office of General Counsel, NYSDEC
Joseph Battista, Regional Enforcement Coordinator
Pat Ferracane, Division of Water, NYSDEC
Doug Gaugler, Bureau of Habitat

EXHIBIT H

New York State Department of Environmental Conservation
Division of Water, Region 3

100 Hillside Avenue Suite 1W White Plains, New York 10603-2860
Phone: (914) 428-2505 • FAX: (914) 428-0323
Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

June 8, 2009

Certified Mail #7001 1940 0001 9909 2293

Mr. Abraham Weider, Mayor
Village of Kiryas Joel
P.O. Box 566
Monroe, NY 10949

Notice of Violation

Re: SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems, GP-0-08-002

Dear Mr. Weider:

On May 22, 2009, an inspection of the Mountain View Road Condominiums construction project on Mountain Road was performed by this Department. At the time of the inspection, erosion and sediment controls were insufficient. In addition, more than five acres of soil was disturbed, a violation of the General Permit for Stormwater Discharges from Construction Activity. Please refer to the attached Notice of Violation/Stop Work Order issued to the developer.

As a SPDES GP-0-08-002 regulated municipality, the Village is responsible for the development and implementation of your local law regarding erosion and sediment control. The Village is also responsible for routine site inspections of construction projects regulated by the local law. Proper enforcement of local law is a vital part of the MS4 program.

The Village is in violation of GP-0-08-002 and Article 17-0803 of the Environmental Conservation Law for not implementing Minimum Measure Four of SPDES GP-0-08-002. Article 17 violations are subject to penalties of up to \$37,500 per violation, per day. This violation of Article 17-0803 will be referred to our Office of General Counsel for the appropriate compliance action.

If you have questions, please contact me at the above number, extension 354.

Sincerely,

Natalie Browne
Natalie Browne

Environmental Program Specialist

cc: John Parker, Esq. - Regional Attorney, NYSDEC
Patrick Ferracane - Division of Water, NYSDEC

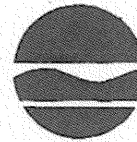
New York State Department of Environmental Conservation

Division of Water, Region 3

100 Hillside Avenue – Suite 1W, White Plains, New York 10603-2860

Phone: (914) 428-2505 • FAX: (914) 428-0323

Website: www.dec.state.ny.us



Alexander B.
Grannis
Commissioner

May 27, 2009

Certified Mail #7001 0320 0000 0563 6593

Moshe Silberstein
29 Van Buren Drive
Monroe, NY 10950

STOP WORK ORDER/NOTICE OF VIOLATION

Re: Mountain View Road Condominiums
Village of Kiryas Joel
SPDES General Permit for Construction Activity - GP-0-08-001 (Notice of Intent #10P510)

Dear Mr. Silberstein:

PLEASE BE ADVISED that an inspection was performed on May 22, 2009 of the site referred above and Department staff determined it is in violation of the GP-0-08-001. At the time of the inspection, the site exceeded the five acre of soil disturbance threshold without the required written authorization from the M-S4 or this Department. This is a violation of GP-0-08-001 and Article 17 of the Environmental Conservation Law.

THE DEPARTMENT ORDERS A STOP TO ALL CONSTRUCTION ACTIVITIES, EXCLUSIVE OF THAT WORK NECESSARY TO CORRECT THE AFOREMENTIONED EROSION AND SEDIMENT CONTROL DEFICIENCIES, UNTIL THIS DEPARTMENT NOTIFIES YOU IN WRITING THAT CONSTRUCTION ACTIVITIES MAY RE-COMMENCE. FAILURE TO ABIDE BY THIS STOP WORK ORDER WILL RESULT IN ADDITIONAL PENALTIES UNDER THE ENVIRONMENTAL CONSERVATION LAW. THIS IS BEING ISSUED IN ACCORDANCE WITH PART VII A OF SPDES GP-0-08-001.

PLEASE BE FURTHER ADVISED erosion and sediment control measures at the site were determined to be inadequate at the time of this inspection. Please refer to the attached Inspection Report Form for more detailed information. Inadequate erosion and sediment controls are also a violation of GP-0-08-001 and Article 17 of the Environmental Conservation Law. **PROPER EROSION AND SEDIMENT CONTROL MEASURES MUST BE INSTALLED AT THE SITE IMMEDIATELY.**

This violation is being referred to our Office of General Counsel for the appropriate enforcement action.

If you have any questions, I can be reached at the above phone number, extension 354.

Sincerely,



Natalie Browne
Environmental Program Specialist

cc: Village of Kiryas Joel Building Department

ecc: John Parker, Esq., Regional Attorney, NYSDEC
Joseph Battista, Regional Enforcement Coordinator, NYSDEC
Patrick Ferracane, Environmental Program Specialist, NYSDEC

EXHIBIT I

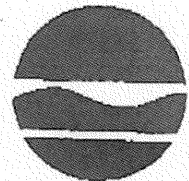
New York State Department of Environmental Conservation

Division of Water, Region 3

100 Hillside Avenue Suite 1W White Plains, New York 10603-2860

Phone: (914) 428-2505 • FAX: (914) 428-0323

Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

June 12, 2009

Certified Mail #7099 3220 0006 4081 5442

Mr. Abraham Weider, Mayor
Village of Kiryas Joel
P.O. Box 566
Monroe, NY 10949

Notice of Violation

Re: SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems, GP-0-08-002

Dear Mr. Weider:

On May 22, 2009, an inspection of the Acres II construction project on Mountain Road was performed by this Department. At the time of the inspection, erosion and sediment controls were insufficient. In addition, weekly self-inspections of the erosion and sediment controls were not being performed, a violation of the General Permit for Stormwater Discharges from Construction Activity. Please refer to the attached Notice of Violation issued to the developer.

As a SPDES GP-0-08-002 regulated municipality, the Village is responsible for the development and implementation of your local law regarding erosion and sediment control. The Village is also responsible for routine site inspections of construction projects regulated by the local law. Proper enforcement of local law is a vital part of the MS4 program.

The Village is in violation of GP-0-08-002 and Article 17-0803 of the Environmental Conservation Law for not implementing Minimum Measure Four of SPDES GP-0-08-002. Article 17 violations are subject to penalties of up to \$37,500 per violation, per day. This violation of Article 17-0803 will be referred to our Office of General Counsel for the appropriate compliance action.

If you have questions, please contact me at the above number, extension 354.

Sincerely,

Natalie Browne

Natalie Browne

Environmental Program Specialist

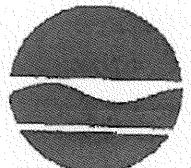
cc: John Parker, Esq. - Regional Attorney, NYSDEC
Patrick Ferracane - Division of Water, NYSDEC

EXHIBIT J

New York State Department of Environmental Conservation**Division of Water, Region 3**

100 Hillside Avenue - Suite 1W, White Plains, New York 10603-2860

Phone: (914) 428-2505 • FAX: (914) 428-0323

Website: www.dec.state.ny.usDenise Sheehan
Commissioner

May 9, 2006

Jake Sofer
28 Van Buren Drive
Monroe, NY 10950**Notice of Violation**Re: Affordable Housing
Seven Springs Drive, Village of Kiryas Joel

Dear Mr. Sofer:

An inspection was performed on May 4, 2006 to ensure compliance with this Department's SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01). Construction projects which result in site disturbances of one or more acres are required to gain coverage under, and comply with, GP-02-01. Our records do not indicate that this project has gained coverage under that General Permit.

Failure to gain coverage under the General Permit is a violation of Article 17-0803 of the New York State Environmental Conservation Law which is subject to penalties of \$37,500 per day, per violation. The Notice of Intent form can be found at http://www.dec.state.ny.us/website/dow/toolbox/40071_hand.pdf (hand print version) or http://www.dec.state.ny.us/website/dow/toolbox/64092_machine.pdf (machine print version) and must be submitted to the address at the top of the form, with a copy to this office, immediately.

Additionally, erosion and sediment control measures at the site were inadequate at the time of the inspection. Please refer to the attached inspection report form for more detailed information. Inadequate erosion and sediment control practices may result in the contravention of the New York State Water Quality Standards (6 NYCRR Chapter X, Part 703.2) in the receiving water. Contravention of the Water Quality Standards is a violation of Article 17-0501 of the Environmental Conservation Law and also subject to penalties of up to \$37,500 per day, per violation. Proper erosion and sediment control measures must be installed at the site immediately.

If these deficiencies are not corrected by June 1, 2006, these violations will be referred to our Division of Legal Affairs for the appropriate compliance action.

A Stormwater Pollution Prevention Plan that complies with GP-02-01 must be submitted to this office by June 1. In addition, please submit documentation that weekly inspections are being performed by a "qualified professional" in accordance with GP-02-01.

If you have any questions, I can be reached at the above phone number, extension 354.

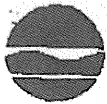
Sincerely,

Natalie Browne

Natalie Browne

Environmental Program Specialist

cc: Village of Kiryas Joel Building Department



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION DIVISION OF WATER

Construction Stormwater Inspection Report (for SPDES General Permit GP-02-01)

Project Name and Location: Affordable Housing		Date: 5/4/06	Page 1 of 2
Municipality: Kiryas Joel County: Orange		Permit # (if any): NYR N/A	
On-site Representative(s): Phone Number: ?		Entry Time: 1:20	Exit Time: 1:45
Name and Address of SPDES Permittee/Title/Phone/Fax Numbers: N/A		Weather Conditions: Sunny high 70s	
		Contacted Yes() No()	

INSPECTION CHECKLIST

SPDES Authority

Yes No N/A

- Is a copy of the NOI posted at the construction site for public viewing?
- Is an up-to-date copy of the signed SWPPP retained at the construction site?
- Is a copy of the SPDES General Permit retained at the construction site?

Citation

GP-02-01: I.D.1
GP-02-01: III.B.1. & IV.C
6 NYCRR 750.2.1(a)

SWPPP Content

Yes No N/A

- Does the SWPPP describe and identify the erosion & sediment control measures to be employed?
- Does the SWPPP provide a maintenance schedule for the erosion & sediment control measures?
- Does the SWPPP describe and identify the post-construction SW control measures to be employed?
- Does the SWPPP identify the contractor(s) and subcontractor(s) responsible for each measure?
- Does the SWPPP include all the necessary contractor certification statements?
- Is the SWPPP signed/certified by the permittee?

Citation

GP-02-01: III.D.2.a.(7) & (8)
GP-02-01: III.D.2.a.(12)
GP-02-01: III.D.2.b.(2) & (3)
GP-02-01: III.E.1.
GP-02-01: III.E.2.
GP-02-01: V.H.2

Recordkeeping

Yes No N/A

- Are inspections being performed as required by the permit (every 7 days and after 1/2" rain event)?
- Are the site inspections being performed by a qualified professional?
- Are all required reports signed/certified by the permittee?
- Does the SWPPP include copies of the monthly/quarterly written summaries of compliance status?

Citation

GP-02-01: III.D.3.b.
GP-02-01: III.D.3.a.
GP-02-01: V.H.2
GP-02-01: IV.D.

Visual Observations

Yes No N/A

- All erosion and sediment control measures have been installed/constructed?
- All erosion and sediment control measures are being maintained properly?
- Are there currently more than 5 acres of disturbed soil at the site without prior approval?
- Have stabilization measures been initiated in inactive areas?
- Are permanent stormwater control measures being implemented?
- Was there a discharge into the receiving water on the day of inspection?
- Is there evidence of turbidity, sedimentation, or oil in the receiving waters? (If yes, complete Page 2)

Citation

GP-02-01: III.A.2.
GP-02-01: V.I.
GP-02-01: III.D.2.a.(4)
GP-02-01: III.D.4.
GP-02-01: III.A.2.

HCL 17-0501.
6 NYCRR 703.2

Overall Inspection Rating: <input type="checkbox"/> Satisfactory <input type="checkbox"/> Marginal <input checked="" type="checkbox"/> Unsatisfactory	
Name/Agency of Lead Inspector: Natalie Browne NYSDEC	Signature of Lead Inspector: Natalie Browne
Names/Agencies of Other Inspectors: N/A	

Water Quality Observations

Describe the discharge(s) [source(s), impact on receiving water(s), etc.]

Describe the quality of the receiving water(s) both upstream and downstream of the discharge

Describe any other water quality standards or permit violations

Additional Comments:

Need stabilized construction entrance

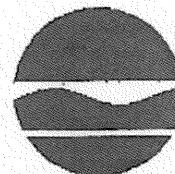
No protection ~~at~~ for road from uphill side of road

No protection for Seven Springs Drive

Photographs attached

EXHIBIT K

New York State Department of Environmental Conservation
Division of Water, Region 3
100 Hillside Avenue – Suite 1W, White Plains, New York 10603-2860
Phone: (914) 428-2505 • FAX: (914) 428-0323
Website: www.dec.state.ny.us



Denise Sheehan
Commissioner

May 30, 2006

Jake Sofer
Affordable Housing Construction LLC
28 Van Buren Drive
Monroe, NY 10950

Notice of Violation

Re: Affordable Housing
Seven Springs Drive, Village of Kiryas Joel

Dear Mr. Sofer:

An inspection was performed on May 22, 2006 to ensure compliance with this Department's SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01). Construction projects which result in site disturbances of one or more acres are required to gain coverage under, and comply with, GP-02-01. Our records still do not indicate that this project has gained coverage under that General Permit.

Failure to gain coverage under the General Permit is a violation of Article 17-0803 of the New York State Environmental Conservation Law which is subject to penalties of \$37,500 per day, per violation. The Notice of Intent form can be found at http://www.dec.state.ny.us/website/dow/toolbox/40071_hand.pdf (hand print version) or http://www.dec.state.ny.us/website/dow/toolbox/64092_machine.pdf (machine print version) and must be submitted to the address at the top of the form, with a copy to this office, immediately.

Additionally, erosion and sediment control measures at the site were inadequate at the time of the inspection. Please refer to the attached inspection report form for more detailed information. Inadequate erosion and sediment control practices may result in the contravention of the New York State Water Quality Standards (6 NYCRR Chapter X, Part 703.2) in the receiving water. Contravention of the Water Quality Standards is a violation of Article 17-0501 of the Environmental Conservation Law and also subject to penalties of up to \$37,500 per day, per violation. Proper erosion and sediment control measures must be installed at the site immediately.

Please be reminded, as per the May 9 letter if these deficiencies are not corrected by June 1, 2006, these violations will be referred to our Division of Legal Affairs for the appropriate compliance action.

A Stormwater Pollution Prevention Plan that complies with GP-02-01 must be submitted to this office by June 1. In addition, please submit documentation that weekly inspections are being performed by a "qualified professional" in accordance with GP-02-01.

If you have any questions, I can be reached at the above phone number, extension 354.

Sincerely,

Natalie Browne

Natalie Browne

Environmental Program Specialist

cc: Village of Kiryas Joel Building Department



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER



Construction Stormwater Inspection Report (for SPDES General Permit GP-02-01)

Project Name and Location: <i>Affordable Housing</i>	Date: <i>5/22/06</i>	Page 1 of <i>2</i>
Municipality: <i>Kiryas Joel</i> County: <i>Orange County</i>	Permit # (if any): NYR <i>N/A</i>	
On-site Representative(s): Phone Number: <i>Jake Sopher</i>	Entry Time: <i>1:35</i>	Exit Time: <i>2:20</i>
Name and Address of SPDES Permittee/Title/Phone/Fax Numbers: <i>Affordable Housing Construction LLC 28 Van Buren Drive Unit 301 Kiryas Joel Monroe 10958</i>	Contacted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Weather Conditions: <i>Sunny 50s</i>

INSPECTION CHECKLIST

SPDES Authority

- | | | | | | |
|-----|--------------------------|-------------------------------------|--------------------------|--|--|
| Yes | No | N/A | | | |
| 1. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is a copy of the NOI posted at the construction site for public viewing? | Citation
GP-02-01: I.D.5. |
| 2. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is an up-to-date copy of the signed SWPPP retained at the construction site? | GP-02-01: III.B.1. & IV.C.
6 NYCRR 750.2.1(a) |
| 3. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is a copy of the SPDES General Permit retained at the construction site? | |

SWPPP Content

- not available on-site*
- | | | | | | |
|-----|--------------------------|--------------------------|--------------------------|--|---|
| Yes | No | N/A | | | |
| 4. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the SWPPP describe and identify the erosion & sediment control measures to be employed? | Citation
GP-02-01: III.D.2.a.(7) & (8) |
| 5. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the SWPPP provide a maintenance schedule for the erosion & sediment control measures? | GP-02-01: III.D.2.a.(12) |
| 6. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the SWPPP describe and identify the post-construction SW control measures to be employed? | GP-02-01: III.D.2.b.(2) & (3) |
| 7. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the SWPPP identify the contractor(s) and subcontractor(s) responsible for each measure? | GP-02-01: III.E.1. |
| 8. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the SWPPP include all the necessary contractor certification statements? | GP-02-01: III.E.2. |
| 9. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the SWPPP signed/certified by the permittee? | GP-02-01: V.H.2. |

Recordkeeping

- not available on-site*
- | | | | | | |
|-----|--------------------------|--------------------------|--------------------------|---|----------------------------------|
| Yes | No | N/A | | | |
| 10. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are inspections being performed as required by the permit (every 7 days and after 1/8" rain event)? | Citation
GP-02-01: III.D.3.b. |
| 11. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are the site inspections being performed by a qualified professional? | GP-02-01: III.D.3.a. |
| 12. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are all required reports signed/certified by the permittee? | GP-02-01: V.H.2. |
| 13. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Does the SWPPP include copies of the monthly/quarterly written summaries of compliance status? | GP-02-01: IV.D. |

Visual Observations

- | | | | | | |
|-----|-------------------------------------|-------------------------------------|-------------------------------------|--|--------------------------------|
| Yes | No | N/A | | | |
| 14. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | All erosion and sediment control measures have been installed/constructed? | Citation
GP-02-01: III.A.2. |
| 15. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | All erosion and sediment control measures are being maintained properly? | GP-02-01: V.L. |
| 16. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Are there currently more than 5 acres of disturbed soil at the site without prior approval? | GP-02-01: III.D.2.a.(4) |
| 17. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Have stabilization measures been initiated in inactive areas? | GP-02-01: III.D.4. |
| 18. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Are permanent stormwater control measures being implemented? | GP-02-01: III.A.2. |
| 19. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Was there a discharge into the receiving water on the day of inspection? | |
| 20. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Is there evidence of turbidity, sedimentation, or oil in the receiving waters? (If ycs, complete Page 2) | ECL 17-0501.
6 NYCRR 703.2 |

Overall Inspection Rating: <input type="checkbox"/> Satisfactory <input type="checkbox"/> Marginal <input checked="" type="checkbox"/> Unsatisfactory	
Name/Agency of Lead Inspector: <i>Natalie Brown/SDCC</i>	Signature of Lead Inspector: <i>Natalie Brown</i>
Names/Agencies of Other Inspectors: <i>N/A</i>	

Describe the discharge(s) [source(s), impact on receiving water(s), etc.]

Describe the quality of the receiving water(s) both upstream and downstream of the discharge

Describe any other water quality standards or permit violations

Additional Comments:

Street needs sweeping

In let protection needed for catch basins

Any areas not under active construction for 14 days must be stabilized

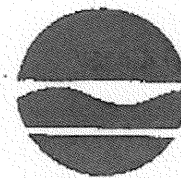
EXHIBIT L

**New York State Department of Environmental Conservation
Division of Water, Region 3**

100 Hillside Avenue - Suite 1W, White Plains, New York 10603-2860

Phone: (914) 428-2505 • FAX: (914) 428-0323

Website: www.dec.state.ny.us



Denise Sheehan
Commissioner

June 2, 2006

Jake Sofer
Affordable Housing Construction LLC
28 Van Buren Drive
Monroe, NY 10950

Notice of Violation

Re: Affordable Housing
Seven Springs Drive, Village of Kiryas Joel

Dear Mr. Sofer:

An inspection was performed on June 1, 2006 to ensure compliance with this Department's SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01). Construction projects which result in site disturbances of one or more acres are required to gain coverage under, and comply with, GP-02-01. Our records still do not indicate that this project has gained coverage under that General Permit.

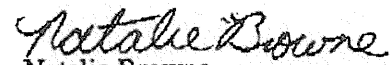
Failure to gain coverage under the General Permit is a violation of Article 17-0803 of the New York State Environmental Conservation Law which is subject to penalties of \$37,500 per day, per violation. The Notice of Intent form can be found at http://www.dec.state.ny.us/website/dow/toolbox/40071_hand.pdf (hand print version) or http://www.dec.state.ny.us/website/dow/toolbox/64092_machine.pdf (machine print version) and must be submitted to the address at the top of the form, with a copy to this office, immediately. This violation is being referred to our Division of Legal Affairs for the appropriate enforcement action.

Erosion and sediment control measures at the site were inadequate at the time of the inspection. Please refer to the attached inspection report form for more detailed information. Inadequate erosion and sediment control practices may result in the contravention of the New York State Water Quality Standards (6 NYCRR Chapter X, Part 703.2) in the receiving water. Contravention of the Water Quality Standards is a violation of Article 17-0501 of the Environmental Conservation Law and also subject to penalties of up to \$37,500 per day, per violation. Proper erosion and sediment control measures must be installed at the site immediately.

Additionally, this Department directs you to **immediately Cease and Desist** all construction activity at the site, exclusive of that work necessary to correct erosion and sediment measures and prevent the contravention of the Water Quality Standards, until this Department notifies you in writing that the Cease and Desist directive has been lifted. This also excludes any remediation necessary due to improper erosion and sediment controls. Failure to comply with this Cease and Desist directive will result in additional enforcement action by this Department.

If you have any questions, I can be reached at the above phone number, extension 354.

Sincerely,



Natalie Browne

Environmental Program Specialist

cc: Village of Kiryas Joel Building Department



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION DIVISION OF WATER

Construction Stormwater Inspection Report (for SPDES General Permit GP-02-01)

Project Name and Location: Affordable Housing; Date: 6/1/06; Page 1 of 2; Municipality: Kiryas Joel; County: Orange; On-site Representative(s): Jake Sofer; Phone Number: (845) 629-3994; Weather Conditions: Sunny 80; Name and Address of SPDES Permittee/Title/Phone/Fax Numbers: Affordable Housing Construction, LLC; 28 Van Buren Drive; Monroe, NY 10950

INSPECTION CHECKLIST

SPDES Authority

- 1. Is a copy of the NOI posted at the construction site for public viewing? Citation: GP-02-01: III.D.5.
2. Is an up-to-date copy of the signed SWPPP retained at the construction site? Citation: GP-02-01: III.B.1. & IV.C.
3. Is a copy of the SPDES General Permit retained at the construction site? Citation: 6 NYCRR 750-2.1(a)

SWPPP Content

- 4. Does the SWPPP describe and identify the erosion & sediment control measures to be employed? Citation: GP-02-01: III.D.2.a.(7) & (8)
5. Does the SWPPP provide a maintenance schedule for the erosion & sediment control measures? Citation: GP-02-01: III.D.2.a.(12)
6. Does the SWPPP describe and identify the post-construction SW control measures to be employed? Citation: GP-02-01: III.D.2.b.(2) & (3)
7. Does the SWPPP identify the contractor(s) and subcontractor(s) responsible for each measure? Citation: GP-02-01: III.E.1.
8. Does the SWPPP include all the necessary contractor certification statements? Citation: GP-02-01: III.B.2.
9. Is the SWPPP signed/certified by the permittee? Citation: GP-02-01: V.H.2.

Recordkeeping

- 10. Are inspections being performed as required by the permit (every 7 days and after 1/4" rain event)? Citation: GP-02-01: III.D.3.b.
11. Are the site inspections being performed by a qualified professional? Citation: GP-02-01: III.D.3.a.
12. Are all required reports signed/certified by the permittee? Citation: GP-02-01: V.H.2.
13. Does the SWPPP include copies of the monthly/quarterly written summaries of compliance status? Citation: GP-02-01: IV.D.

Visual Observations

- 14. All erosion and sediment control measures have been installed/constructed? Citation: GP-02-01: III.A.2.
15. All erosion and sediment control measures are being maintained properly? Citation: GP-02-01: V.L.
16. Are there currently more than 5 acres of disturbed soil at the site without prior approval? Citation: GP-02-01: III.D.2.a.(4)
17. Have stabilization measures been initiated in inactive areas? Citation: GP-02-01: III.D.4.
18. Are permanent stormwater control measures being implemented? Citation: GP-02-01: III.A.2.
19. Was there a discharge into the receiving water on the day of inspection?
20. Is there evidence of turbidity, sedimentation, or oil in the receiving waters?(If yes, complete Page 2) Citation: ECL 17-0501, 6 NYCRR 703.2

Overall Inspection Rating: Satisfactory Marginal Unsatisfactory; Name/Agency of Lead Inspector: Natalie Browne NYSDEC; Signature of Lead Inspector: Natalie Browne; Names/Agencies of Other Inspectors: N/A

Water Quality Observations

Page 2 of 2

Describe the discharge(s) [source(s), impact on receiving water(s), etc.]

Describe the quality of the receiving water(s) both upstream and downstream of the discharge

Describe any other water quality standards or permit violations

Additional Comments:

Silt fence must be properly installed

Any areas not under active construction for 14 days must be stabilized

Charon Road needs protection

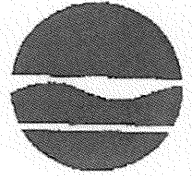
EXHIBIT M

New York State Department of Environmental Conservation**Division of Water, Region 3**

100 Hillside Avenue – Suite 1W, White Plains, New York 10603-2860

Phone: (914) 428-2505 • FAX: (914) 428-0323

Website: www.dec.state.ny.us



March 30, 2007

Jake Sofer
Affordable Housing Construction LLC
28 Van Buren Drive
Monroe, NY 10950

Notice of Violation

Re: Affordable Housing
Seven Springs Drive, Village of Kiryas Joel
SPDES General Permit for Stormwater Discharges from Construction Activity
Notice Of Intent #NYR10L141

Dear Mr. Sofer:

An inspection was performed on March 29, 2007 to ensure compliance with this Department's SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01). Erosion and sediment control measures at the site were inadequate at the time of the inspection. Please refer to the attached inspection report form for more detailed information. Inadequate erosion and sediment controls is a violation of GP-02-01 which is a violation of Article 17-0803 of the Environmental Conservation Law. This violation is being referred to our Division of Legal Affairs for the appropriate enforcement action. Proper erosion and sediment control measures must be installed at the site immediately.

In addition, inadequate erosion and sediment control practices may result in the contravention of the New York State Water Quality Standards (6 NYCRR Chapter X, Part 703.2) in the receiving water. Contravention of the Water Quality Standards is a violation of Article 17-0501 of the Environmental Conservation Law. Violations of the Environmental Law are subject to penalties of up to \$37,500 per day, per violation.

Please be reminded that permanent stormwater facilities must be constructed before construction is completed. Lack of permanent stormwater measures is a violation of GP-02-01.

If you have any questions, I can be reached at the above phone number, extension 354.

Sincerely,

Natalie Browne
Natalie Browne
Environmental Program Specialist

cc: Village of Kiryas Joel Building Department



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER



Construction Stormwater Inspection Report (for SPDES General Permit GP-02-01)

Project Name and Location: <i>Affordable Housing</i>		Date: <i>3/29/03</i>	Page 1 of <i>2</i>
Municipality: <i>Kiryas Joel</i> County: <i>Orange</i>		Permit # (if any): <i>NYR 10441</i>	
On-site Representative(s): Phone Number: <i>N/A</i>		Entry Time: <i>11:30</i>	Exit Time: <i>12:00</i>
Name and Address of SPDES Permittee/Title/Phone/Fax Numbers: <i>Affordable Housing Construction LLC 28 Van Buren Drive Monroe, NY 10950</i>		Weather Conditions: <i>40s Sunny</i>	
Contacted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			

INSPECTION CHECKLIST

SPDES Authority

Yes No N/A

- Is a copy of the NOI posted at the construction site for public viewing?
- Is an up-to-date copy of the signed SWPPP retained at the construction site?
- Is a copy of the SPDES General Permit retained at the construction site?

Citation

GP-02-01: I.D.5.
GP-02-01: III.B.1. & IV.C.
6 NYCRR 750-2.1(a)

SWPPP Content

Yes No N/A

- Does the SWPPP describe and identify the erosion & sediment control measures to be employed?
- Does the SWPPP provide a maintenance schedule for the erosion & sediment control measures?
- Does the SWPPP describe and identify the post-construction SW control measures to be employed?
- Does the SWPPP identify the contractor(s) and subcontractor(s) responsible for each measure?
- Does the SWPPP include all the necessary contractor certification statements?
- Is the SWPPP signed/certified by the permittee?

Citation

GP-02-01: III.D.2.a.(7) & (8)
GP-02-01: III.D.2.a.(12)
GP-02-01: III.D.2.b.(2) & (3)
GP-02-01: III.E.1
GP-02-01: III.E.2
GP-02-01: V.H.2

Recordkeeping

Yes No N/A

- Are inspections being performed as required by the permit (every 7 days and after 1/8" rain event)?
- Are the site inspections being performed by a qualified professional?
- Are all required reports signed/certified by the permittee?
- Does the SWPPP include copies of the monthly/quarterly written summaries of compliance status?

Citation

GP-02-01: III.D.3.b.
GP-02-01: III.D.3.a.
GP-02-01: V.H.2
GP-02-01: IV.D

Visual Observations

Yes No N/A

- All erosion and sediment control measures have been installed/constructed?
- All erosion and sediment control measures are being maintained properly?
- Are there currently more than 5 acres of disturbed soil at the site without prior approval?
- Have stabilization measures been initiated in inactive areas?
- Are permanent stormwater control measures being implemented?
- Was there a discharge into the receiving water on the day of inspection?
- Is there evidence of turbidity, sedimentation, or oil in the receiving waters? (If yes, complete Page 2)

Citation

GP-02-01: III.A.2
GP-02-01: V.L
GP-02-01: III.D.2.a.(4)
GP-02-01: III.D.4
GP-02-01: III.A.2
RCL 17-0301,
6 NYCRR 703.2

Overall Inspection Rating: <input type="checkbox"/> Satisfactory <input type="checkbox"/> Marginal <input checked="" type="checkbox"/> Unsatisfactory	
Name/Agency of Lead Inspector: <i>Natalie Bronne</i>	Signature of Lead Inspector: <i>Natalie Bronne</i>
Names/Agencies of Other Inspectors: <i>N/A</i>	

Water Quality Observations

Describe the discharge(s) (source(s), impact on receiving water(s), etc.)

Describe the quality of the receiving water(s) both upstream and downstream of the discharge

Evidence of soil deposition on rip-rap outlet

Describe any other water quality standards or permit violations

Additional Comments:

Paved road must be protected (ie: silt fence behind curb)

Construction entrance should be installed where dirt road meets the paved road

Street needs sweeping

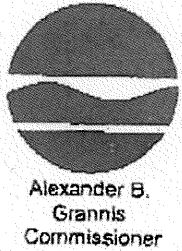
Catch basins need protection

Sediment trap must be properly constructed:
forebay is short-circuiting
outlet is being by-passed
sediment trap must be dredged

EXHIBIT N

**New York State Department of Environmental Conservation
Division of Water, Region 3**

100 Hillside Avenue – Suite 1W White Plains, New York 10603-2860
Phone: (914) 332-1835 • FAX: (914) 332-4670
Website: www.dec.state.ny.us



January 18, 2008

Mayer Indig
MYM Management Corporation
P.O. Box 2527
Monroe, NY 10950

Notice of Violation

Re: Acres Development
Village of Kiryas Joel
SPDES General Permit for Construction Activity, GP-02-01 (NOI #NYR10J914)

Dear Mr. Indig:

An inspection was performed on October 9, 2007 to ensure compliance with this Department's SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01). Note the following deficiencies:

- The steep slopes at the back of the site must be stabilized immediately. This was noted during our last two inspections and has not been corrected.
- Infiltration practices cannot be used during construction. This was noted during our last inspection and has not been corrected.
- Any areas not under active construction for fourteen days must be stabilized. This was noted during our last inspection and has not been corrected.

These deficiencies are violations of the terms and conditions of GP-02-01 and Article 17-0803 of the Environmental Conservation Law. The violation will be referred to our Division of Legal Affairs for the appropriate enforcement action.

Inadequate erosion and sediment control practices may result in the contravention of the New York State Water Quality Standards (6 NYCRR Chapter X, Part 703.2) in the receiving water. Contravention of the Water Quality Standards is a violation of Article 17-0501 of the Environmental Conservation Law and also subject to penalties of up to \$37,500 per day, per violation. Proper erosion and sediment controls must be installed immediately.

If you have any questions, I can be reached at the above phone number, extension 354.

Sincerely,

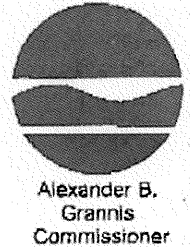
Natalie Browne
Natalie Browne
Environmental Program Specialist

cc: Village of Kiryas Joel Building Department

EXHIBIT O

**New York State Department of Environmental Conservation
Division of Water, Region 3**

100 Hillside Avenue – Suite 1W White Plains, New York 10603-2860
Phone: (914) 332-1835 • FAX: (914) 332-4670
Website: www.dec.state.ny.us



June 12, 2009

Mayer Indig
MYM Management Corporation
P.O. Box 2527
Monroe, NY 10950

Notice of Violation

Re: Acres Estates II
Village of Kiryas Joel
SPDES General Permit for Construction Activity, GP-0-08-001 (NOI #NYR10P524)

Dear Mr. Indig:

An inspection was performed on May 22, 2009 to ensure compliance with this Department's SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-08-001). Numerous erosion and sediment control deficiencies were noted during the inspection. Please refer to the attached inspection report form for more detailed information.

It was noted that weekly erosion and sediment control inspections by a "qualified inspector" ceased after the November 5, 2008. Inspections must re-commence immediately.

These deficiencies are violations of the terms and conditions of GP-0-08-001 and Article 17-0803 of the Environmental Conservation Law subject to penalties up to \$37,500 per day, per violation. These violations are being referred to our Office of General Counsel for the appropriate enforcement.

In addition, inadequate erosion and sediment control practices may result in the contravention of the New York State Water Quality Standards (6 NYCRR Chapter X, Part 703.2) in the receiving water. Contravention of the Water Quality Standards is a violation of Article 17-0501 of the Environmental Conservation Law and also subject to penalties of up to \$37,500 per day, per violation. Proper erosion and sediment controls must be installed immediately.

If you have any questions, I can be reached at the above phone number, extension 354.

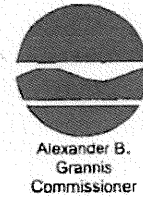
Sincerely,

Natalie Browne
Natalie Browne
Environmental Program Specialist

cc: Village of Kiryas Joel Building Department

EXHIBIT P

New York State Department of Environmental Conservation
Division of Water, Region 3
100 Hillside Avenue - Suite 1W, White Plains, New York 10603-2860
Phone: (914) 428-2505 • FAX: (914) 428-0323
Website: www.dec.state.ny.us



May 27, 2009

Certified Mail #7001 0320 0000 0563 6593

Moshe Silberstein
29 Van Buren Drive
Monroe, NY 10950

STOP WORK ORDER/NOTICE OF VIOLATION

Re: Mountain View Road Condominiums
Village of Kiryas Joel
SPDES General Permit for Construction Activity - GP-0-08-001 (Notice of Intent #10P510)

Dear Mr. Silberstein:

PLEASE BE ADVISED that an inspection was performed on May 22, 2009 of the site referred above and Department staff determined it is in violation of the GP-0-08-001. At the time of the inspection, the site exceeded the five acre of soil disturbance threshold without the required written authorization from the M-S4 or this Department. This is a violation of GP-0-08-001 and Article 17 of the Environmental Conservation Law.

THE DEPARTMENT ORDERS A STOP TO ALL CONSTRUCTION ACTIVITIES, EXCLUSIVE OF THAT WORK NECESSARY TO CORRECT THE AFOREMENTIONED EROSION AND SEDIMENT CONTROL DEFICIENCIES, UNTIL THIS DEPARTMENT NOTIFIES YOU IN WRITING THAT CONSTRUCTION ACTIVITIES MAY RE-COMMENCE. FAILURE TO ABIDE BY THIS STOP WORK ORDER WILL RESULT IN ADDITIONAL PENALTIES UNDER THE ENVIRONMENTAL CONSERVATION LAW. THIS IS BEING ISSUED IN ACCORDANCE WITH PART VII A OF SPDES GP-0-08-001.

PLEASE BE FURTHER ADVISED erosion and sediment control measures at the site were determined to be inadequate at the time of this inspection. Please refer to the attached Inspection Report Form for more detailed information. Inadequate erosion and sediment controls are also a violation of GP-0-08-001 and Article 17 of the Environmental Conservation Law. **PROPER EROSION AND SEDIMENT CONTROL MEASURES MUST BE INSTALLED AT THE SITE IMMEDIATELY.**

This violation is being referred to our Office of General Counsel for the appropriate enforcement action.

If you have any questions, I can be reached at the above phone number, extension 354.

Sincerely,



Natalie Browne
Environmental Program Specialist

cc: Village of Kiryas Joel Building Department

ecc: John Parker, Esq., Regional Attorney, NYSDEC
Joseph Battista, Regional Enforcement Coordinator, NYSDEC
Patrick Ferracane, Environmental Program Specialist, NYSDEC

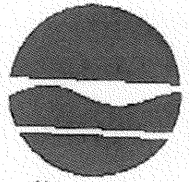
EXHIBIT Q

New York State Department of Environmental Conservation
Division of Water, Region 3

100 Hillside Avenue - Suite 1W, White Plains, New York 10603-2860

Phone: (914) 428-2505 - FAX: (914) 428-0323

Website: www.dec.state.ny.us



Alexander B.
Grannis
Commissioner

September 18, 2007

Chaim Werczberger
Mountain Hill Construction
4 Susev Court Apt. 111
Monroe, NY 10950

Notice of Violation

Re: Mountain Hill Construction
Meron Drive, Village of Kiryas Joel
SPDES General Permit for Stormwater Discharges from Construction Activity
Notice Of Intent #NYR10L655

Dear Mr. Werczberger:

An inspection was performed on September 11, 2007 to ensure compliance with this Department's SPDES General Permit for Stormwater Discharges from Construction Activity (GP-02-01). Erosion and sediment control measures at the site were inadequate at the time of the inspection. Please refer to the attached inspection report form for more detailed information. Inadequate erosion and sediment controls is a violation of GP-02-01 which is a violation of Article 17-0803 of the Environmental Conservation Law. This violation is being referred to our Division of Legal Affairs for the appropriate enforcement action. Proper erosion and sediment control measures must be installed at the site immediately.

In addition, inadequate erosion and sediment control practices may result in the contravention of the New York State Water Quality Standards (6 NYCRR Chapter X, Part 703.2) in the receiving water. Contravention of the Water Quality Standards is a violation of Article 17-0501 of the Environmental Conservation Law. Violations of the Environmental Law are subject to penalties of up to \$37,500 per day, per violation.

Additionally, in accordance with Part V A. of SPDES GP-02-01, this Department is ordering a stop to all construction activities, exclusive of that work necessary to correct the aforementioned erosion and sediment control deficiencies, until this Department notifies you in writing that construction activities may re-commence. Failure to abide by this Stop Work Order will result in additional penalties under the Environmental Conservation Law.

Attached is our August 20 letter which was returned due to an insufficient address.

If you have any questions, I can be reached at the above phone number, extension 354.

Sincerely,

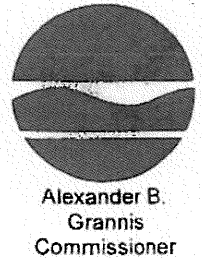


Natalie Browne
Environmental Program Specialist

cc: Kelly Tuturro, Esq. - Division of Legal Affairs, NYSDEC
Pat Ferracane - Division of Water, NYSDEC
Village of Kiryas Joel Building Department

EXHIBIT R

New York State Department of Environmental Conservation
Office of Natural Resources, Region 3
21 South Putt Corners Road, New Paltz, New York 12561-1696
Phone: (845) 256-3000 • FAX: (845) 255-4659
Website: www.dec.ny.gov



May 19, 2009

NOTICE OF VIOLATION

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

#7008-1300-0001-7836-4659

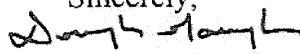
Mr. Chaim Werczberger
Mountain Hill Construction
4 Susev Court, Apt. 111
Monroe, NY 10950

Dear Mr. Werczberger:

On March 12, 2009, the Department found your site located south and west of Prog Boulevard in violation of Article 24 of NYS Environmental Conservation Law (Freshwater Wetlands Act). In summary the violations are: (1) clear-cutting of trees, filling, and grading for new construction in NYS protected wetland MO-11 and/or its adjacent area.; (2) construction of four new residences in the wetland and/or adjacent area; (3) clear-cutting, filling, and grading of vacant lots within wetland and/or adjacent area; and (4) uncontrolled sedimentation into wetland MO-11 and its adjacent area. There are no current, valid permits on file from this Department for any of these activities.

BE ON NOTICE THAT implementation of reclamation activities at the site in no way affects the rights of NYSDEC to seek penalties and other relief in accordance with the Environmental Conservation Law and the rules and regulations promulgated pursuant thereto.

Please contact Carol Krebs, Assistant Regional Attorney, at (845) 256-3038, within (5) business days of the receipt of this letter to set up a compliance conference in order to address the above violations.

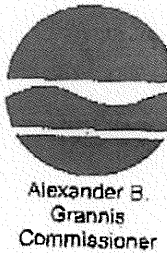
Sincerely,

Douglas Gaugler
Biologist 1

cc: C. Krebs, DEC Legal Affairs
J. Parker, DEC Regional Attorney

EXHIBIT S

**New York State Department of Environmental Conservation
Division of Water, Region 3**

100 Hillside Avenue – Suite 1W, White Plains, New York 10603-2860
Phone: (914) 428-2505 • FAX: (914) 428-0323
Website: www.dec.state.ny.us



May 27, 2009

Certified Mail #7099 3220 0006 4081 5480

Chaim Werczberger
Mountain Hill Construction
4 Susev Court Apt. 111
Monroe, NY 10950

Notice of Violation/Stop Work Order

Re: Mountain Hill Construction
Meron Drive, Village of Kiryas Joel
SPDES General Permit for Stormwater Discharges from Construction Activity
Notice Of Intent #NYR.10L655

Dear Mr. Werczberger:

PLEASE BE ADVISED that an inspection was performed on May 2, 2009 of the Meron Drive site referred to above and Department staff determined it is in violation of the stop work order issued September 18, 2007 and re-issued May 5, 2009. This stop work order was issued in accordance with Part V A of SPDES GP-02-01 and Part VII A of SPDES GP-0-08-001.

THE DEPARTMENT AGAIN ORDERS A STOP TO ALL CONSTRUCTION ACTIVITIES, EXCLUSIVE OF THAT WORK NECESSARY TO CORRECT THE AFOREMENTIONED EROSION AND SEDIMENT CONTROL DEFICIENCIES, UNTIL THIS DEPARTMENT NOTIFIES YOU IN WRITING THAT CONSTRUCTION ACTIVITIES MAY RE-COMMENCE. FAILURE TO ABIDE BY THIS STOP WORK ORDER WILL RESULT IN ADDITIONAL PENALTIES UNDER THE ENVIRONMENTAL CONSERVATION LAW. THIS IS BEING ISSUED IN ACCORDANCE WITH PART VII A OF SPDES GP-0-08-001.

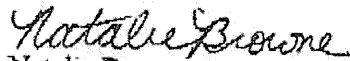
PLEASE BE FURTHER ADVISED that the inspection was also performed to determine compliance with this Department's SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-08-001). Erosion and sediment control measures at the site were determined to be inadequate at the time of this inspection. Please refer to the attached inspection report form for more detailed information. Inadequate erosion and sediment controls are a violation of GP-0-08-001. Inadequate erosion and sediment control practices may result in the contravention of the New York State Water Quality

Standards in the receiving water. *Please see 6 NYCRR § 703.2* Contravention of the Water Quality Standards is a violation of Environmental Conservation Law Article 17 and is subject to penalties of up to \$37,500 per day, per violation. **PROPER EROSION AND SEDIMENT CONTROL MEASURES MUST BE INSTALLED AT THE SITE IMMEDIATELY.**

This violation is being referred to our Office of General Counsel for the appropriate enforcement action.

If you have any questions, I can be reached at the above phone number, extension 354.

Sincerely,



Natalie Browne

Environmental Program Specialist

cc: Village of Kiryas Joel Building Department

ecc: John Parker, Esq., Office of General Counsel, NYSDEC
Joseph Battista, Regional Enforcement Coordinator
Pat Ferracane, Division of Water, NYSDEC
Doug Gaugler, Bureau of Habitat



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION DIVISION OF WATER



Construction Stormwater Inspection Report for SPDES General Permit GP-0-08-001

Form with fields: Project Name and Location: Mountain Hill; Municipality: Kiryas Joel; County: Orange; Name of SPDES Permittee: Chaim Herzberger; Date: 5/22/09; Weather: Sunny; Permit #: NYR10 L655; Entry Time: 9:20; Exit Time: 10:0; Inspection Type: Compliance; On-site Representative(s) and Company(s): N/A; Phone Number(s):

SPDES Authority

- 1. Does the project have permit coverage?
2. Is a copy of the NOI and Acknowledgment Letter available on site...
3. Is a copy of the MS4 SWPPP Acceptance Form available on site...
4. Is an up-to-date copy of the signed SWPPP retained at the construction site?
5. Is a copy of the SPDES General Permit retained at the construction site?
6. Does the NOI accurately report the number of acres to be disturbed?
Citation: GP-0-08-001: I.A. & II.B.;

SWPPP Content

- 7. Does the SWPPP describe and identify the erosion and sediment control measures to be employed?
8. Does the SWPPP provide an inspection schedule and maintenance requirements for the E&SC measures?
9. Does the SWPPP describe and identify the stormwater management practices to be employed?
10. Does the SWPPP identify the contractor(s) and subcontractor(s) responsible for each measure?
11. Does the SWPPP identify at least one trained individual from each contractor(s) and subcontractor(s) companies?
12. Does the SWPPP include all the necessary Contractor Certification Statements and signatures?
13. Is the SWPPP signed by the permittee?
14. Is the SWPPP prepared by a qualified professional (if post-construction stormwater management required)?
15. Do the SMPs conform to the Enhanced Phosphorus Removal Standards (projects in TMDL watersheds)?
Citation: GP-0-08-001: III.B.1.e; GP-0-08-001: III.B.1.h. & i.; GP-0-08-001: III.B.2.; GP-0-08-001: III.A.5.; GP-0-08-001: III.A.5.; GP-0-08-001: VII.H.2.; GP-0-08-001: III.A.3.; GP-0-08-001: III.B.3.

Recordkeeping

- 16. Are self-inspections performed as required by the permit (weekly, or twice weekly for >5 acres disturbed)?
17. Are the self-inspections performed and signed by a qualified inspector and retained on site?
18. Do the qualified inspector's reports include the minimum reporting requirements?
19. Do inspection reports identify corrective measures that have not been implemented or are recurring?
Citation: GP-0-08-001: IV.C.2.a. & b.; GP-0-08-001: II.C.2. & IV.C.6. & VII.; GP-0-08-001: IV.C.4.; GP-0-08-001: IV.C.5.

Visual Observations

- 20. Are all erosion and sediment control measures installed properly?
21. Are all erosion and sediment control measures being maintained properly?
22. Was written authorization issued for any disturbance greater than 5 acres?
23. Have stabilization measures been implemented in inactive areas per Permit (>5 acres) or ESC Standard?
24. Are post-construction stormwater management practices constructed/installed correctly?
25. Has final site stabilization been achieved and temporary E&SC measures removed prior to NOT submittal?
26. Was there a discharge from the site on the day of inspection?
27. Is there evidence that a discharge caused or contributed to a violation of water quality standards?
Citation: GP-0-08-001: VIII.; GP-0-08-001: IV.A.1.; GP-0-08-001: II.C.3.; GP-0-08-001: II.C.3.b & III.B.1.f.; GP-0-08-001: II.C.1. & III.B.2.; GP-0-08-001: V.A.2.; ECL 17-0501, 6 NYCRR 703.2, GP-0-08-001: I.B.

Water Quality Observations

Describe the discharge(s): location, source(s), impact on receiving water(s), etc.

Describe the quality of the receiving water(s) both upstream and downstream of the discharge

Describe any other water quality standards or permit violations Sediment in adjacent wetland

Additional Comments

Lot J: Catch basins must be protected

Lot L: Stockpiled soils need protection
Construction entrances must be installed

Lot H: Construction entrance must be installed
Paved street must be protected
No lot controls present

Werczberger lot: No erosion and sediment controls present

Sediment basin must be properly constructed.

Photographs attached

Overall Inspection Rating: <input type="checkbox"/> Satisfactory <input type="checkbox"/> Marginal <input checked="" type="checkbox"/> Unsatisfactory	
Name/Agency of Lead Inspector: <u>Natalie Browne/NYSDEC</u>	Signature of Lead Inspector: <u>Natalie Browne</u>
Names/Agencies of Other Inspectors: <u>Jennifer Zunino/NYSDEC</u>	

EXHIBIT T

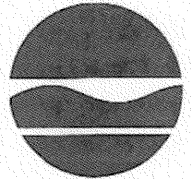
New York State Department of Environmental Conservation

Division of Water, Region 3

100 Hillside Avenue – Suite 1W, White Plains, New York 10603-2860

Phone: (914) 428-2505 • FAX: (914) 428-0323

Website: www.dec.state.ny.us



Alexander B.
Grannis
Commissioner

July 10, 2009

Certified Mail #7001 0320 0000 0563 6586

Chaim Werczberger
Mountain Hill Construction
4 Susev Court Apt. 111
Monroe, NY 10950

Notice of Violation/Stop Work Order

Re: Mountain Hill Construction
Meron Drive, Village of Kiryas Joel
SPDES General Permit for Stormwater Discharges from Construction Activity
Notice Of Intent #NYR10L655

Dear Mr. Werczberger:

PLEASE BE ADVISED that an inspection was performed on July 6, 2009 of the Meron Drive site referred to above and Department staff determined it is, again, in violation of the stop work order issued September 18, 2007 and re-issued May 5, 2009. This stop work order was issued in accordance with Part V A of SPDES GP-02-01 and Part VII A of SPDES GP-0-08-001.

THE DEPARTMENT AGAIN ORDERS A STOP TO ALL CONSTRUCTION ACTIVITIES, EXCLUSIVE OF THAT WORK NECESSARY TO CORRECT THE AFOREMENTIONED EROSION AND SEDIMENT CONTROL DEFICIENCIES, UNTIL THIS DEPARTMENT NOTIFIES YOU IN WRITING THAT CONSTRUCTION ACTIVITIES MAY RE-COMMENCE. FAILURE TO ABIDE BY THIS STOP WORK ORDER WILL RESULT IN ADDITIONAL PENALTIES UNDER THE ENVIRONMENTAL CONSERVATION LAW. THIS IS BEING ISSUED IN ACCORDANCE WITH PART VII A OF SPDES GP-0-08-001.

PLEASE BE FURTHER ADVISED that the inspection was also performed to determine compliance with this Department's SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-08-001). Erosion and sediment control measures at the site were determined to be inadequate at the time of this inspection. Inadequate erosion and sediment controls are a violation of GP-0-08-001. Inadequate erosion and sediment control practices may result in the contravention of the New York State Water Quality Standards in the receiving water. *Please see* 6 NYCRR § 703.2 Contravention of the Water

Quality Standards is a violation of Environmental Conservation Law Article 17 and is subject to penalties of up to \$37,500 per day, per violation. **PROPER EROSION AND SEDIMENT CONTROL MEASURES MUST BE INSTALLED AT THE SITE IMMEDIATELY.**

This violation is being referred to our Office of General Counsel for the appropriate enforcement action.

If you have any questions, I can be reached at the above phone number, extension 354.

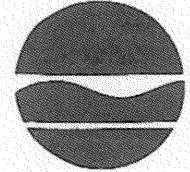
Sincerely,

Natalie Browne
Environmental Program Specialist

cc: Village of Kiryas Joel Building Department

ecc: John Parker, Esq., Office of General Counsel, NYSDEC
Joseph Battista, Regional Enforcement Coordinator
Pat Ferracane, Division of Water, NYSDEC
Doug Gaugler, Bureau of Habitat

New York State Department of Environmental Conservation
Regional Enforcement Coordinator, Region 3
21 South Putt Corners Road
New Paltz, New York 12561 - 1620
Phone: (845) 256-3043 • **FAX:** (845) 255-3414
Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

CERTIFIED MAIL/RRR #: 7008 1300 0001 7835 8212

NOTICE OF VIOLATION

July 20, 2009

Abraham Weider, Mayor
Village Of Kiryas Joel
P.O. Box 566
Monroe, NY 10949

Dear Honorable Mr. Weider:

PLEASE TAKE NOTICE that this is a consolidated Notice of Violation letter issued to the Village of Kiryas Joel. Between August 14, 2003 and July 6, 2009, the Department of Environmental Conservation found multiple sites located within the Village of Kiryas Joel to be in violation of various provisions of the Environmental Conservation Law and related regulations. Specifically, the attached Notice of Violations letters identify freshwater wetlands violations, Clean Water Act of stormwater/ permits requirements and the Municipal Separate Storm Sewer System ("MS4") requirements. Copies of the letters of violation are attached in exhibits A through T for your review.

Despite numerous Notices of Violation being submitted to the Village, the violations of the Environmental Conservation Law continue. We are sending this Notice of Violation as violations continue despite the receipt of the prior Notices. The Department considers the violations to be serious and they need to be addressed immediately. The Department will issue a draft Order on Consent to settle these matters. If they cannot be resolved, the Department will pursue further enforcement as appropriate.

I. Environmental Conservation Law

A. Freshwater Wetlands

Article 24 of the Environmental Conservation Law regulates freshwater wetlands, particularly those mapped wetlands that are larger than 12.4 acres, and local wetland areas that designated as wetlands of unusual local importance. The specific provisions of Article 24 are further set forth in the 6 NYCRR Part 663.4 regulations enacted by the Department. Amongst other things, these regulations address placement of fill in wetlands.

B. Municipal Separate Storm Sewer System

Article 17 of the Environmental Conservation sets forth requirements for stormwater

management under the Clean Water Act. One of these programs is called the Municipal Separate Storm Sewer System ("MS4") program. Construction activities, including residential housing construction must comply with these stormwater requirements. These requirements include obtaining coverage under the general permit by having a stormwater management plan approved by the Department of Environmental Conservation, and properly implementing that plan using appropriate erosion and sediment control. The MS4 program requires municipalities such as the Village of Kiryas Joel to have a local law in place regarding erosion and sediment controls and stormwater system requirements. The municipality has the legal obligation under the Clean Water Act to enforce the local MS4 law regarding construction company activities, including routine site inspections of construction projects regulated by the local law. If the municipality does not enforce the local law, it is in violation of General Permit GP-02-02, and Environmental Conservation Law §17-0803.

C. Environmental Conservation Law penalty provisions

Environmental Conservation Law §71-2303 provides for a civil penalty of up to \$3000.00 for each violation of any rule or regulation promulgated, or Order issued, pursuant to Article 24 of the ECL, and in addition provides that such violation may be enjoined.

Environmental Conservation Law §71-1929 provides for a civil penalty of up to \$37,500.00 for each violation of any rule or regulation promulgated, or Order issued, pursuant to Article 17 of the ECL, including MS-4 violations.

II. Environmental Conservation Law Violations of the Village of Kiryas Joel

The following table summarizes the violations of the Village of Kiryas Joel identified by the Department.

Table 1

Date of Violation(s)	Date of Notice of Violation	Location of Violation	Violation/Description
8/14/03 and 8/21/03	September 24, 2003, March 6, 2008, March 25, 2008	South of Meron Drive & west of Bakertown Road	Article 24-0701 and 6NYCRR Part 663 Filling regulated Freshwater Wetlands and adjacent areas of Wetland (MO-11) without a valid permit
None specified and 3/12/09	March 25, 2008, May 19, 2009	Van Buren & Meron Drive	Article 24-0701 and 6NYCRR Part 663 Filling regulated Freshwater Wetlands and adjacent areas of Wetland (MO-11) without a valid permit
None specified, Multiple Sites	August 16, 2007	Acres Road Development, Teverya Estates, Mountain road Management, Bakertown Road Office Building and Affordable Housing	Article 17-0803 and permit GP-02-02, failing to properly regulate and monitor construction projects for stormwater discharges *** The 8/16 informational letter was incorrectly categorized as a Notice of Violation ***

1/15/08	March 27, 2008	Acres Road Construction site	Article 17-0803 and permit GP-02-02, failing to properly regulate and monitor construction projects for stormwater discharges
5/22/09	June 8, 2009	Mountain Hill construction project on Meron Drive	Article 17-0803 and permit GP-0-08-002, failing to implement Minimum Measure Four of the permit for stormwater discharges
5/22/09	June 8, 2009	Mountain View Road Condominiums on Mountain Road	Article 17-0803 and permit GP-0-08-002, failing to implement Minimum Measure Four of the permit
5/22/09	June 12, 2009	Acres II Construction site on Mountain Road	Article 17-0803 and permit GP-0-08-002, failing to implement Minimum Measure Four of the permit

A. Summary of Freshwater Wetland Violations by the Village of Kiryas Joel

On September 24, 2003 and March 6, 2008, the Department issued Notices of Violation to the Village for placement of fill into mapped Freshwater Wetland MO-11, and into its adjacent area related. These actions in contravention of the Freshwater Wetlands provisions of the Environmental Conservation Law were ostensibly related to well drilling construction. *Please see Exhibits A and B.*

On March 25, 2008 and May 19, 2009, the Department issued Notices of Violation to the Village relating to a dirt/gravel road that was widened and paved in mapped Freshwater Wetland MO-11, and relating to a concrete box culvert that was placed within that same Freshwater Wetland and its 100-foot adjacent area. These actions in contravention of the Freshwater Wetlands provisions of the Environmental Conservation Law were conducted without required authorization of the Department in the form of a permit. *Please see Exhibits C and D.*

B. Summary of MS4 Violations by the Village of Kiryas Joel

On August 16, 2007, March 27, 2008, June 8, 2009, June 8, 2009, and June 12, 2009, the Department issued Notices of Violation to the Village regarding violations of the stormwater regulations at numerous sites within the Village. These sites included Acres Road Development, Teverya Estates, Mountain Road Management, Bakertown Road Office Building and Affordable Housing. These actions occurred in contravention of the MS4 requirements of the Clean Water Act and related provisions of the Environmental Conservation Law, and the failure of the Village to address the violations are violations by the Village of the MS4 requirements. The Village is legally obligated to enforce the requirements of the MS4 program.. *Please see Exhibits E, F, G, H and I.*

III. Environmental Conservation Law Violations by Entities Located in the Village of Kiryas Joel

The following table summarizes violations of Article 17 of the Environmental Conservation Law identified by the Department regarding stormwater, and a violation of Article 24 of the Environmental Conservation Law identified by the Department regarding Freshwater Wetlands by entities located within the Village.

Table 2.

Date of Violation(s)	Date of Notice of Violation	Location of Violation	Contact	Violation/Description
5/4/06	5/9/06	Affordable Housing, Seven Springs Drive	Jake Sofer	Failed to gain coverage under GP-02-01 (Article 17 violation)
5/22/06	5/30/06	Affordable Housing, Seven Springs Drive	Jake Sofer	Continued failing to gain coverage under GP-02-01 (Article 17 violation)
6/1/06	6/2/06	Affordable Housing, Seven Springs Drive	Jake Sofer	Continued failing to gain coverage under GP-02-01 (Article 17 violation)
3/29/07	3/30/07	Affordable Housing, Seven Springs Drive	Jake Sofer	Failed to maintain adequate erosion and sediment controls (Article 17 violation)
10/9/07	1/18/08	Acres Development	Mayer Indig	Failed to meet terms and conditions of GP-02-01 (Article 17 violation)
5/22/09	6/12/09	Acres Estates II	Mayer Indig	Failed to meet terms and conditions of GP-02-01 (Article 17 violation)
5/22/09	5/27/09	Mountain View Road Condominiums	Moshe Silberstein	Failed to secure written authorization for the exceeded 5 acre disturbance (Article 17 violation)
9/11/07	9/18/07	Mountain Hill Construction, Meron Drive	Chaim Werczberger	Failed to have adequate erosion and sediment controls. (Article 17 violation)
3/12/09	5/19/09	Mountain Hill Construction, south west of Perog Boulevard	Chaim Werczberger	Disturbed NYS wetland MO-11 without a valid permit (Article 24)
5/2/09	5/27/09	Mountain Hill Construction, Meron Drive	Chaim Werczberger	Violation of 9/18/07 & 5/5/09 stop work orders (Article 17 violation)
7/6/09	7/10/09	Mountain Hill Construction, Meron Drive	Chaim Werczberger	Violation of 9/18/07 & 5/5/09 stop work orders (Article 17 violation)

A. Summary of Freshwater Wetland Violations

On May 19, 2009, Department staff issued a Notice of Violation to Chaim Werczberger and Mountain Hill Construction at the Mountain Hill Construction site, south west of Prog Boulevard. The construction site had disturbed NYS wetland MO-11, without a valid Article 24 permit. *Please see Exhibit R.*

B. Summary of Article 17 Violations

On May 9, 2006, the Department issued Notices of Violation to Jake Sofer for failure to gain coverage under GP-02-01, a violation of ECL Article 17. *Please see Exhibits J.*

On May 30, 2006 and June 2, 2006, the Department issued Notices of Violation to Affordable Housing Construction LLC for failure to gain coverage under GP-02-01, a violation of ECL Article 17. *Please see Exhibits K and L.*

On March 30, 2007, the Department issued a Notice of Violation to Jake Sofer and Affordable Housing Construction LLC for failure to maintain adequate erosion and sediment controls, in violation of ECL Article 17. *Please see Exhibit M.*

On January 18, 2008 and June 12, 2009, the Department issued Notices of Violation to Mayer Indig and MYM Management Corporation at the Acres Road development and Acres Estates II, for failure to meet the terms and conditions of GP-02-01. *Please see Exhibits N and O.*

On May 27, 2009, the Department issued a Notice of Violation to Moshe Silberstein at the Mountain View Road Condominiums, for failure to obtain written authorization for exceeding five acres of disturbance, in violation of ECL Article 17. *Please see Exhibit P.*

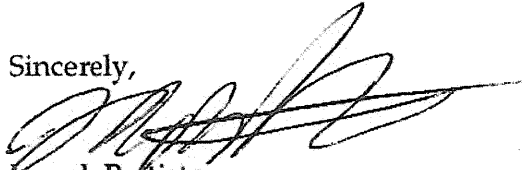
On September 18, 2007 the Department issued a Notice of Violation and Stop Work Order to Chaim Werczberger and Mountain Hill Construction at the Mountain Hill Construction site, for failure to maintain adequate erosion and sediment controls, in violation of ECL Article 17. *Please see Exhibit Q.*

On May 27, 2009 and July 10, 2009, the Department issued Notices of Violation to Chaim Werczberger and Mountain Hill Construction at the Mountain Hill Construction site for violation of the Stop Work Orders issued September 18, 2007 and May 5, 2009. *Please see Exhibits S and T.*

BE ON NOTICE THAT implementation of reclamation or remediation activities at the site in no way affects the rights of NYSDEC to seek penalties and other relief in accordance with the Environmental Conservation Law and the rules and regulations promulgated pursuant thereto.

Please contact me at (845) 256-3043, if you have questions about this Notice of Violation.

Sincerely,


Joseph Battista
Regional Enforcement Coordinator

ecc: Regional Director, DEC Region 3
Program Managers, DEC Region 3
Regional Attorney, DEC Region 3

New York State Department of Environmental Conservation

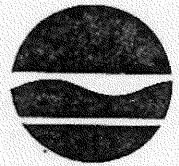
Hudson Valley Catskill Region / Region 3

White Plains Sub-Regional Office

100 Hillside Avenue, Suite 1W, White Plains, NY 10603-2860

Phone: (914) 428-2505 • Fax: (914) 428-0323

Website: www.dec.ny.gov



Joe Martens
Commissioner

CMRRR # - 7008 1830 0000 3516 5409

NOTICE OF NONCOMPLIANCE

March 7, 2012

Mayor Abraham Weider
Gedalye Szegedin, Village Administrator
Village of Kiryas Joel
PO Box 566
51 Forest Road
Monroe, NY 10949

Re: Village of Kiryas Joel
Consent Orders: R3-20080229-14
R3-20080229-14-A15
R3-20030930-124

Dear Mayor Weider and Mr. Szegedin:

I am writing to you to express concern regarding the Village of Kiryas Joel's progress meeting the Compliance requirements for the above referenced Order on Consent. The Order represents the Department and the Village's agreement on how to meet the requirements of the Environmental Conservation Law. The Department is specifically concerned with schedule of compliance item g(2), the Flow and Organic Load required for the Kiryas Joel wastewater treatment plant and the Kiryas Joel Meat Market, Inc. The Village has not met its obligations with respect to these requirements and therefore is in violation of the terms of the Order on Consent.

As you know, the Village submitted a Wastewater Treatment Facilities Compliance Report, dated May 12, 2011 to the Department pursuant to item g(1) of the schedule of compliance. On August 4, 2011, the Department sent the attached letter in response indicating that the Compliance Report was not approved and requiring a complete headworks analysis in compliance with Department TOGS 1.3.8. The Department has not received the required headworks analysis. The resolution of the environmental violations in this case are a significant concern, and in addition to correspondence, on September 14, 2011 the Department convened a meeting of all involved parties regarding these and other issues to address our concerns and to facilitate a resolution. The Village's obligations under the Consent Order for the headworks analysis are a necessary component to resolve Clean Water Act issues.

Village of Kiryas Joel

Page 2

March 7, 2012

PLEASE BE ADVISED THAT pursuant to paragraph III, the Village is hereby notified that it is in noncompliance with the terms of the above referenced Consent Order. Pursuant to Consent Order paragraph I. A. 2, all or a portion of the suspended penalty of \$50,000.00 shall be payable to the

Department within 30 days of receiving written notice from the Department that penalties are due, and significantly higher penalties are accruing due to the daily violations commencing from the notice in the August 4, 2011 letter.

The Department looks forward to working with you to resolve the environmental violations, and to make sure that the Village is meeting its legal obligations. Last year the Department made a commitment to work with the Village to make sure that environmental compliance is achieved. The Department remains committed to achieve compliance with the Village, but the track record needs to significantly improve.

Please contact me if you have any questions or comments regarding this Notice.

Sincerely,



Thomas Rudolph, P.E.
Regional Engineer

cc: Donald G. Nichol, Esq. - Jacobowitz & Gubitza, LLC
Michael Sterthous, Esq. - Whiteman Osterman & Hanna LLP

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

-----X
In the Matter of Violations of Articles 17 and 24 of the
Environmental Conservation Law ("ECL") and
Part 663 of Title 6 of the Official Compilation of Codes
Rules and Regulations of the State of New York ("6NYCRR"),

ORDER ON CONSENT
Case No. R3-20080229-14,
R3-20080229-14-A15,
R3-20030930-124

by:

Village of Kiryas Joel,

Respondent.

----- X
WHEREAS:

1. The Department of Environmental Conservation ("DEC" or "the Department") is a Department of the State of New York with jurisdiction to enforce the environmental laws of the State pursuant to Environmental Conservation Law ("ECL") §3-0302.

2. DEC has jurisdiction over Freshwater Wetlands pursuant to ECL Article 24.

3. DEC has jurisdiction over Water Pollution Control pursuant to ECL Article 17.

4. Respondent Village of Kiryas Joel is a municipal corporation maintaining offices in the Town of Monroe, Orange County, New York. Respondent Village of Kiryas Joel is the owner of property near Meron Drive and Bakertown Road, upon which is located Freshwater Wetland MO-11. The Village of Kiryas Joel is subject to the Municipal Separate Storm Sewer System ("MS4") program pursuant to ECL Article 17.

FRESHWATER WETLAND MO-11 VIOLATIONS

5. By inspections conducted on August 14, 2003 and August 21, 2003, Department staff documented violations of 6 NYCRR §663.4(d) (*items 20, 30, and 38*) as a well was drilled in Freshwater Wetland MO-11 and/or the adjacent area, sediment was deposited and fill was

placed in two areas of Freshwater Wetland MO-11 and/or in the adjacent area, without obtaining required permits.

6. By inspections conducted on August 14, 2003 and August 21, 2003, Department staff determined that a culvert on Meron Drive was installed improperly and without the required ECL Article 24 permit by a private entity not affiliated with Respondent, in violation of 6 NYCRR §663.4(d) (*item 20*). The culvert is not installed properly to allow passage of aquatic organisms.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) VIOLATIONS

7. The Village of Kiryas Joel has responsibility for enforcement of the MS4 requirements regarding private companies operating in the boundaries of the Village, including Minimum Measure Four "*Construction Site Stormwater Runoff Control - SWMP Development / Implementation*".

8. By inspections conducted on May 4, 2006; May 22, 2006; June 1, 2006; and March 29, 2007, Department staff documented violations of ECL §17-0803 and permit GP-02-02 due to inadequate sediment and erosion control at the Affordable Housing Construction LLC construction project which is identified as owned and/or operated by Jake Sofer, on private property located on County Route 44, Village of Kiryas Joel.

9. By an inspection conducted on January 15, 2008, Department staff documented violations of ECL §17-0803 and permit GP-02-02 due to inadequate sediment and erosion control at the Acres Road construction project which is identified as owned and/or operated by Mayer Indig, MYM Management Corporation, on private property located on Acres Road, Village of Kiryas Joel on Meron Drive, Village of Kiryas Joel.

10. By an inspection conducted on May 22, 2009, Department staff documented violations of ECL §17-0803 and permit GP-0-08-002 due to inadequate sediment and erosion control at the Mountain Hill Construction project which is identified as owned and/or operated by Chaim Werezberger, Mountain Hill Construction, on private property located on Meron Drive, Village of Kiryas Joel.

11. By an inspection conducted on May 22, 2009, Department staff documented violations of ECL §17-0803 and permit GP-0-08-002 due to inadequate sediment and erosion sediment control at the Mountain View Road Condominiums construction project which is identified as owned and/or operated by Moishe Silberstein on private property located on Mountain Road, Village of Kiryas Joel.

12. By inspection conducted on May 2, 2009, Department staff documented violations of the Department's September 18, 2007 stop work order issued to Chaim Werczberger at the Mountain Hill Construction project at Meron Drive, Village of Kiryas Joel.

13. By inspection conducted on May 2, 2009, Department staff documented violations of ECL §17-0803 and permit GP-0-08-002 due to inadequate sediment and erosion control at the Mountain Hill Construction project which is identified as owned and/or operated by Chaim Werczberger, on private property located on Meron Drive, Village of Kiryas Joel.

14. By inspection conducted on July 6, 2009, Department staff documented violations of ECL §17-0803 and permit GP-0-08-002 due to inadequate sediment and erosion control at the Mountain Hill Construction project which is identified as owned and/or operated by Chaim Werczberger, Mountain Hill Construction, on private property located on Meron Drive, Village of Kiryas Joel.

STATE POLLUTION DISCHARGE ELIMINATION SYSTEM VIOLATIONS

15. The Village of Kiryas Joel is the Clean Water Act permittee for the Kiryas Joel Sewage Treatment plant (SPDES permit #NY 0250520), located on Bakerstown Road, in the Village of Kiryas Joel. The plant is owned by the Village and operated by the Orange County Department of Environmental Facilities and Services, pursuant to a lease agreement.

16. Since September, 2001, the County retained CAMO Pollution Control, Inc. to manage the plant's daily operations, including the preparation and filing of the plant's Discharge Monitoring Reports (DMRs).

17. The 34 monthly Discharge Monitoring Reports (DMRs) for the period of December 2006 through September 2009 indicated violation of the Fecal Coliform limit (30 day) of 200/100ml/1 on 5 occasions.

18. The 34 monthly Discharge Monitoring Reports (DMRs) for the period of December 2006 through September 2009 indicated violation of the Fecal Coliform limit (7 day) of 400/100/ml/1 on 3 occasions.

19. The 34 monthly Discharge Monitoring Reports (DMRs) for the period of December 2006 through September 2009 indicated violation of the Ammonia limit (30 day) of 1.5 mg/L on 7 occasions.

20. The 34 monthly Discharge Monitoring Reports (DMRs) for the period of December 2006 through September 2009 indicated violation of the Ammonia limit (30 day) of 2.2 mg/L on 1 occasion.

21. The 34 monthly Discharge Monitoring Reports (DMRs) for the period of December 2006 through September 2009 indicated violation of the Total Suspended Solids limit (30 day) of 10 mg/L on 3 occasions.

22. The 34 monthly Discharge Monitoring Reports (DMRs) for the period of December 2006 through September 2009 indicated violation of the BOD (5 day) of 5 mg/L on 1 occasion.

23. The 34 monthly Discharge Monitoring Reports (DMRs) for the period of December 2006 through September 2009 indicated violation of the Phosphorus (30 day) limit of 0.5 mg/L on 1 occasion.

24. The above exceedances of the SPDES permit limits set forth in paragraphs 19 through 23 constitute violations of ECL §17-0803.

**ENVIRONMENTAL CONSERVATION LAW AND REGULATORY
REQUIREMENTS PURSUANT TO 6 NYCRR**

25. ECL § 24-0701 provides that any person proposing to conduct on designated freshwater wetlands any regulated activities must obtain a permit as provided by Article 24.

26. 6 NYCRR § 663 provides that all persons proposing to conduct, on wetlands or adjacent areas, activities that have not been specifically exempted, must obtain either a permit or a letter of permission.

27. ECL § 71-2303 provides for a civil penalty of up to \$3,000.00 for each violation of any rule or regulation promulgated, or Order issued, pursuant to Article 24 of the ECL, and in addition provides that such violation may be enjoined.

28. ECL §17-0803 provides that it shall be unlawful to discharge pollutants to the waters of the state from any outlet or point source without a SPDES permit issued pursuant thereto or in a manner other than as prescribed by such permit.

29. ECL § 71-1929 provides that any person who violates any of the provisions of, or who fails to perform any duty imposed by titles 1 through 11 inclusive and title 19 of article 17, or the rules, regulations, orders or determinations of the commissioner promulgated thereto or the terms of any permit issued thereunder, shall be liable to a penalty of not to exceed thirty-

seven thousand five hundred dollars per day for each violation, and, in addition thereto, such person may be enjoined from continuing such violation.

30. Respondent affirmatively waives the right to a public hearing in this matter in the manner provided by 6 NYCRR Part 622, and consents to the issuing and entering of this Order, and agrees to be bound by the terms, provisions and conditions of this Order, including the Compliance Schedule attached hereto.

NOW, having considered this matter and being duly advised, it is ORDERED that:

I. Civil Penalty.

A. Respondent shall be liable to pay a civil penalty in the amount of seventy-five thousand (\$75,000.00) dollars, as follows:

1. Twenty-five thousand (\$25,000.00) dollars is payable to the Department upon Respondent's return of an executed copy of this Order to the Department. The DEC case number appearing on the first page of this Order shall be endorsed on the face of the check. The civil penalty shall be paid by check, bearing the signature of Respondent, made payable to the "Department of Environmental Conservation" and forwarded to the Regional Attorney, New York State Department of Environmental Conservation, Region 3, 21 South Putt Corners Road, New Paltz, New York, 12561; and,
2. Fifty thousand (\$50,000.00) dollars is suspended provided Respondent strictly adheres to the terms and conditions of this Order, including the Schedule of Compliance, attached hereto as "Schedule A". If Respondent violates any term of this Order, including the Schedule of Compliance, the whole amount of the suspended penalty, or any portion thereof, shall be due from Respondent within

30 days of receiving written notice from the Department that penalties are due.

The determination of the suspended penalty amount due shall be in the Department's sole discretion.

B. Stipulated Penalties.

In the event that Respondent fails to strictly and timely comply with any provision of this Order, and the Schedule of Compliance, a stipulated penalty shall be due and payable within 10 (ten) business days of notice of noncompliance from the DEC, as follows:

PERIOD OF NONCOMPLIANCE PENALTY PER DAY

Violations occurring on the 1 st Day through 30 th Day:	\$1,000.00
Violations occurring on the 31 st Day through 60 th Day:	\$1,500.00
Violations occurring each day thereafter:	\$2,000.00

In the event that the DEC determines that the Respondent has violated any provision of this Order, the Department may serve upon Respondent a notice of noncompliance, which shall set forth the nature of the violation(s) and the calculation of stipulated penalties due. Such notice shall be deemed part of this Order. Respondent shall deliver the full stipulated penalty amount to the DEC within 10 (ten) business days after receipt of such notice. Neither the Department's demand for payment of a stipulated penalty, nor Respondent's payment thereof, shall discharge Respondent from the obligation to comply with any obligation established in this Order. The payment of stipulated penalties as set forth above, shall also not limit the Department's right to seek other and further relief as may be authorized by law.

II. Schedule of Compliance.

Respondent shall strictly comply with the terms of this Order and with the attached Schedule of Compliance, including any report(s), plan(s), proposal(s) and other submissions made pursuant thereto. The Schedule of Compliance and all such submissions are hereby

deemed incorporated into this Order, upon approval by the Department if such approval is required, and shall be fully enforceable as part of this Order.

III. Notice of Noncompliance.

In the event that the Department determines, in the Department's sole discretion, that the Respondent has failed to timely and fully comply with any provision of this Order, the Department may serve upon the Respondent a notice of noncompliance setting forth the nature of the violation(s). Service of such notice may be by personal service or by certified mail return receipt requested (restricted delivery not required) at the Respondents' address as specified in Paragraph 3 of this Order, or, if such service is refused or cannot be completed, by ordinary mail.

IV. Full Settlement.

Until fully remediated in accordance with this Order, all violations described above shall be considered continuing violations. The Department shall not institute any action or proceeding for penalties or other relief for the violations described above other than those actions and penalties set forth in this Order, for so long as Respondent remains in compliance with this Order. Any failure by Respondent to comply fully with the terms of this Order may subject the Respondent to further enforcement action for the violations described above. Compliance with this Order shall not excuse nor be a defense to charges of any violations of the ECL or any regulation or permit issued thereunder, which may occur subsequent to the date of this Order. The provisions of this Order shall be deemed satisfied and this Order shall terminate upon acceptance by the Department of Respondent's certification to the Department of compliance with all provisions of this order.

V. Submission.

All reports and submissions required in this Consent Order shall be submitted to the Department, via U.S. Mail, as follows:

For wetlands submissions

Doug Gaugler
Bureau of Habitat Protection
New York State Department of Environmental Conservation, Region Three
21 South Putt Corners Road
New Paltz, New York 12561
Re: Case No. R3-20040511-64

For MS4/Stormwater GP / Article 17 submissions

Natalie Browne
Division of Water
New York State Department of Environmental Conservation, Region Three
100 Hillside Avenue, Suite 1W
White Plains, New York 10603-2860
Re: Case No. R3-20040511-64

and to the:

For all submissions

Regional Attorney
Office of General Counsel
New York State Department of Environmental Conservation, Region Three
21 South Putt Corners Road
New Paltz, New York 12561-1696
Re: Case No. R3-20040511-64

Respondent shall be responsible for the content of any submissions made pursuant to this Order and shall certify in writing to the Department that such submission complies with the requirements set forth in this Order. Submission of any material containing assertions of fact shall be considered an affirmative representation by Respondent of the truth of such assertions. Respondent shall be in violation of this Order if any submission is of such poor quality that it does not constitute a good faith effort to comply with the provisions of this Order.

VI. Review of Submitted Remedial Plans and Proposals.

After review of any remedial plan or proposal required by this Order and its Schedule of Compliance, the Department shall notify Respondent, in writing, of its approval or disapproval of the submission. If the Department approves the submission, Respondent shall implement it in accordance with its schedule and terms, as approved. If the Department disapproves the

submission, the Department shall provide to Respondent written notice of its disapproval, specifying with reasonable particularity the grounds for disapproval. Within 30 (thirty) days after Respondent receives written notice of disapproval, Respondent shall submit a revised submission which fully responds to each of the Department's specified grounds for disapproval. After the Department's receipt of Respondent's revised submission, the Department shall notify Respondent, in writing, of its approval or disapproval. If the Department approves the revised submission, Respondent shall implement it in accordance with its schedule and terms, as approved. If the revised submission is not approvable as submitted, the Department, at its option, may disapprove it or may approve it on condition that Respondent accepts such modifications as may be specified by DEC to make it approvable. If the Respondent does not accept such modifications, the revised submission will be disapproved. If the Department disapproves the revised submission, the Respondent shall be in violation of this Order. Upon Department approval, a submission or revised submission shall be deemed incorporated into this Order.

VII. Notice of Work.

Respondent shall provide notice to the Department of any excavating, drilling, sampling, construction or start-up of equipment to be conducted pursuant to the terms of this Order, if any, at least five (5) working days in advance of such activities.

VIII. Inspections.

For the purpose of insuring compliance with this Order, and with applicable provisions of the ECL and regulations promulgated thereunder, representatives of this Department shall be permitted access to the facility and to relevant records during reasonable hours to inspect and/or perform such tests which the Department deems appropriate to determine the status of Respondent's compliance.

IX. Conveyance.

In the event that Respondent proposes to convey the whole or any part of its ownership interest in the Facility prior to completion of the compliance schedule, Respondent shall, not less than 30 days prior to the consummation of such proposed conveyance, notify the Department in writing of the identity of the transferee and of the nature and date of the proposed conveyance. In advance of such proposed conveyance, Respondent shall notify the transferee in writing, with a copy to the Department, of the applicability of this Order.

X. Other Approvals.

Respondent shall be obligated to obtain whatever permits, easements, rights of entry, approvals or authorizations may be necessary in order to carry out its obligations under this Order. This Order shall not relieve the Respondent of the obligation to comply with any other laws, rules or regulations of the State of New York or any other governmental authority which are applicable to Respondent's activities, nor preclude or limit such enforcement action as may be authorized by law for any such violation.

XI. Other Remedies; Natural Resource Damages.

(a) Nothing contained in this Order shall be construed as barring, diminishing, adjudicating or in any way affecting (1) any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against anyone other than Respondent; (2) the Department's right to enforce, administratively or at law or in equity, the terms, provisions and conditions of this Order against Respondent, its directors, officers, employees, servants, agents, successors and assigns in the event that Respondent shall be in breach of the provisions hereof; (3) the Department's right to bring any action, administratively or at law or in equity against Respondent, its directors, officers, employees, servants, agents, successors and assigns which the Department could otherwise maintain with respect to areas or resources that may have been affected or contaminated as a result of the release or migration of wastes from the site or from areas in the vicinity of the site,

or to require that Respondent take such additional measures as may be necessary for the protection of public health or the environment, including interim remedial measures; (4) the Department's right to commence any action or proceeding relating to or arising out of any disposal of hazardous wastes at the site, as those wastes are defined by applicable regulation; or (5) the Respondent's right to challenge any such action by the Department, whether by administrative hearing or otherwise, to the extent otherwise permitted by law.

(b) Nothing contained in this Order shall be construed as barring, diminishing, adjudicating or in any way affecting any of the Department's rights or authorities, including the right to recover natural resource damages, against any party, including Respondent.

(c) This Order shall not be construed to prohibit the Commissioner or the Commissioner's duly authorized representative from exercising any summary abatement powers, either at common law or as granted pursuant to statute or regulation.

XII. Indemnification.

Respondent or any successors, assigns or transferees, shall indemnify and hold harmless the Department, the State of New York, and their representatives and employees harmless for all claims, suits, actions, damages and costs of every name and description arising out of or resulting from the fulfillment or attempted fulfillment of this Order by Respondent, its directors, officers, employees, servants, agents, successors or assigns.

XIII. Force Majeure.

Respondent shall not be in default of compliance with this Order to the extent that Respondent may be unable to comply with any provision of this Order because of the action of a national or local government body or court (other than Respondent), an act of God, war, strike, riot or catastrophe as to any of which the negligence or willful misconduct on the part of Respondent was not a proximate cause; provided, however, that Respondent shall use its best efforts to comply. Respondent shall provide written notice to the Department immediately

upon obtaining knowledge of such event. In addition, Respondent shall, within twenty-one days of such event, provide written request to the Department for an appropriate extension or modification to this Order, along with documentation evidencing entitlement to relief herein. Relief under this clause shall not be available to Respondent, with regard to a particular event, if Respondent fails to provide timely notice of such event. The Respondent shall have the burden of proving entitlement to relief under this clause, by clear and convincing evidence.

XIV. Modification.

This Order may not be modified except in a writing executed by the DEC Commissioner or the DEC Commissioner's authorized representative.

XV. Default.

The failure of Respondent to comply fully and in timely fashion with any provision of this Order shall constitute a default and a failure to perform an obligation under this Order and under the ECL, and may constitute sufficient grounds for revocation pursuant to 6 NYCRR 621.14 of any permit, license, certification or approval issued to the Respondent by the Department.

XVI. Entire Agreement.

The provisions hereof shall constitute the complete and entire Order between Respondent and the Department concerning the violations set forth above. No terms, conditions, understandings or agreements purporting to modify or vary the terms hereof shall be binding unless made in writing pursuant to Paragraph XIV hereof. No informal advice, guidance, suggestions or comments by the Department regarding reports, proposals, plans, specifications, schedules or any other writing submitted by Respondent shall be construed as relieving Respondent of its obligations to obtain such formal approvals as may be required by this Order.

XVII. Binding Effect.

This Order shall be deemed to bind the Respondent, its officers, directors, agents, employees, contractors, successors and assigns, and all persons, firms and corporations acting under or for Respondent, including, without limitation, any subsequent operator of the Facility who may carry on activities now conducted by Respondent at the Facility, and any successor in title to the Facility or any interest therein. Respondent shall provide a copy of this Order (including any submissions incorporated herein) to any contractor or subcontractor hired to perform work required under this Order, and shall require compliance with this Order as a term of any contract for performance of work under this Order. Respondent shall nonetheless be responsible for ensuring that all work performed under this Order is in compliance with the terms of the Order.

XVIII. Effective Date.

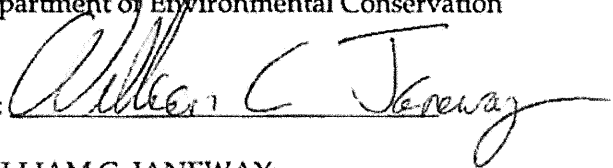
This Order shall not become effective until it is signed by the Regional Director on behalf of the Commissioner.

Dated: New Paltz, New York

12/09, 2010

PETER M. IWANOWICZ
Acting Commissioner
Department of Environmental Conservation

By:



WILLIAM C. JANEWAY
Regional Director, Region 3
Department of Environmental Conservation

This Order on Consent has been reviewed and approved by the Regional Attorney as to form.

By:

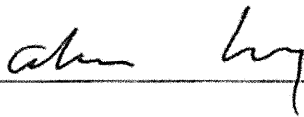


JOHN L. PARKER
Regional Attorney

CONSENT BY RESPONDENT

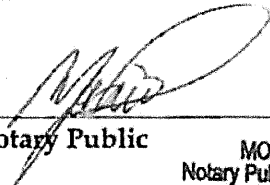
Respondent hereby consents to the issuance and entry of this Order without further notice, waives its right to a hearing in this matter, and agrees to be bound by the terms, conditions and provisions of this Order. The undersigned represents and affirms that they have the legal authority to bind Respondent(s) to the terms and conditions of this Order.

Village of Kiryas Joel

By: 
Title: MAYOR

ACKNOWLEDGMENT

On this 30 day of NOVEMBER, in the year 2010, before me, the undersigned, personally appeared ABRAHAM WIEDER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies) as shown in the instrument, and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Notary Public
MOISHE GRUBER
Notary Public, State of New York
No. 01GR4940440
Qualified in Kings County
Commission Expires Sept. 30, 2013

Schedule of Compliance for Order on Consent

Respondent: Village of Kiryas Joel
Site or Facility: Village of Kiryas Joel WWTP, Freshwater wetland MO-11 and
Construction sites within the Village of Kiryas Joel
DEC Case No.: R3- Case No. R3-20080229-14, R3-20080229-14-A15,
R3-20030930-124

RESPONDENT IS REQUIRED TO SELF-CERTIFY TIMELY COMPLETION OF EACH OF THE ACTIVITIES REQUIRED BY THIS SCHEDULE.

1. **Self-certification:** Respondent(s) shall submit to DEC, within fifteen (15) days of each milestone date set forth in this Schedule of Compliance, a signed statement certifying that the work required was completed by that date, and that the work was done in the manner required by this Order.

Submission of the required certification shall be considered an affirmative representation by the Respondent of the truth of its contents. Any false statement made therein shall be punishable pursuant to Section 210.45 of the Penal Law, and as may be otherwise authorized by law.

Failure to submit a required certification by the due date shall be a violation of this Order, and shall establish a legal presumption that Respondent(s) has failed to comply with that requirement of the Schedule.

All technical submittals to the Department required under this Order shall be made by Respondent(s) as follows:

All submittals, which shall include a hardcopy original and an electronic copy in .pdf format on Compact Disc shall be submitted to the Department, via U.S. Mail, in accordance with Section V of this Order.

2. **Remedial Activities and Milestones:** Respondent(s) shall timely perform the activities set forth below in a good and workmanlike manner and supply all required labor, equipment and materials at Respondent's own cost and expense:

Schedule of Compliance for Order on Consent, Continued

Respondent: Village of Kiryas Joel
Site or Facility: Village of Kiryas Joel WWTP, Freshwater wetland MO-11 and Construction sites within the Village of Kiryas Joel
DEC Case No.: R3- Case No. R3-20080229-14, R3-20080229-14-A15, R3-20030930-124

Milestone Dates

Compliance Activities

a) Prior to execution of this Order	Respondent shall meet on- site with DEC staff to develop a wetlands reclamation plan which shall remove the gravel road and correct the culvert and meet the requirements of ECL Article 24 and 6 NYCRR Part 663 and 6 NYCRR Part 664 to address the violations in paragraphs 5 and 6.
b) Within 60 days of the effective date of this Order	Respondent shall submit to the DEC for review and approval a wetlands reclamation plan certified by a New York State licensed professional engineer and meeting all requirements of NYS Law and DEC regulation that addresses the violations in paragraphs 5 and 6; approval of such plan shall be in the sole discretion of the Department.
c) Within 180 days from the date of DEC approval of the wetlands reclamation plan	Respondent shall fully implement the approved wetlands reclamation plan.
d) Within 90 days from the effective date of this Order	Respondent shall provide to the DEC written procedures for the village's Illicit Discharge Trackdown Program and documentation of dry weather survey completed for 40% of the outfalls as required by SPDES GP-0-08-002.
e) Within 90 days from the effective date of this Order	Respondent shall submit to the DEC documentation of Stormwater Pollution Prevention Plan review procedures and construction site monitoring and enforcement procedures as required by ECL Article 17 and the Municipal Separate Storm Sewer System (MS4) program to be implemented by Village personnel or hired consultant. .
f)	The DEC shall make best efforts to conduct joint inspections with Village enforcement personnel and to provide at least 48 hours notice prior to issuing notices of violation resulting from DEC MS4 inspections.

<p>g) Within 60 days from the effective date of this Order</p>	<p>Respondent shall submit for the Department's review & approval, an Engineering Report which identifies and evaluates the Village of Kiryas Joel wastewater related problems:</p> <ol style="list-style-type: none"> 1. Problem Defined: Description of the existing system (existing KJ Meat Market, Inc. treatment units, and the KJ WWTP) should include an evaluation of the conditions and problems needing correction. The report shall be prepared by a consulting engineer retained by Respondent. It is expected that Respondent's consulting engineer will collaborate with and rely upon information provided by the consulting engineer for the KJ Meat Market, Inc., the Orange County DPW, and both contract operators (CAMO Pollution & JCO Environmental) and others in identifying the physical conditions and operational problems as well as suggested corrective measures. 2. Flow and Organic Load: The anticipated design average and design peak flows and waste load for the existing and projected conditions shall be established, including current and future flow projections from the KJ WWTP, and the KJ Meat Market, Inc. 3. Impact on Existing Wastewater Facilities: The impact of the projected flow and organic loads on Respondent's existing wastewater facilities, including sewers, lift stations, and treatment facilities shall be evaluated. 4. Final Plan Selection: The identified problems and corrective measures shall be included in the Engineering Report to be forwarded to the Department for review and approval, including recommendations for implementation of the corrective measures with milestone dates for tracking progress. <p>The Engineering Report shall be signed and sealed by a professional engineer licensed in the State of New York.</p>
<p>h) Prior to starting any construction, or installing new treatment units, or process expansion</p>	<p>Respondent shall gain formal plan approval from the New York State Department of Environmental Conservation pursuant to 6 NYCRR Part 750 for work being performed by Respondent or at Respondent's direction at the Village of Kiryas Joel Sewage Treatment Plant and the KJ Meat Market, Inc. Pretreatment System (poultry processing plant).</p>
<p>i) Upon notification by the DEC to the Respondent.</p>	<p>A determination shall be made by the Department regarding the need for modifications to the existing State Pollutant Discharge Elimination System (SPDES) permit after review of the documents submitted under this Order.</p>

j) Within 30 days of the effective date of this Order	Respondent shall submit a complete permit application to adjust flows and consolidate all water supply permits for the Village of Kiryas Joel.
k) Upon receipt of DEC- issued consolidated water supply permit	Respondent shall conduct activities in accordance with the Department issued permit.



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

RECEIPT

NUMBER 584855

Region Number 3 Date 12/8/10

Location New Paltz Division Legal Affairs

Received of Village of Kiryas Joel

In the amount of Twenty five thousand and 00/100 \$ 25,000.00

For Civil Penalty - Article 17, 24
R3-20080229-N, R3-20080229-14-A15, R3-20030930-124

Cash Department Representative SW
 Check Number 15533 Title Secretary
 Money Order

ORIGINAL

VILLAGE OF KIRYAS JOEL
P.O. BOX 566
MONROE, NY 10949

CASE #R3-20080229-14
R3-20080229-14-A15
R3-20030930-124

15533

DATE NOVEMBER 30, 2010 1-1567-260

PAY TO THE ORDER OF DEPARTMENT OF ENVIROMENTAL CONSERVATION

\$ 25,000.00

TWENTY FIVE THOUSAND AND 00/100 *****

DOLLARS

TD BANK
AMERICA'S MOST CONVENIENT BANK

FOR _____

New York State Department of Environmental Conservation

Division of Fish, Wildlife & Marine Resources

Bureau of Habitat, Region 3

21 South Putt Corners Road, New Paltz, NY 12561-1620

Phone: (845) 256-3057 • **Fax:** (845) 255-4659

Website: www.dec.ny.gov



Joe Martens
Commissioner

CMRRR 7011 3500 0003 4379 6982

April 17, 2013

NOTICE OF VIOLATION

Mr. Gedalye Szegedin
Village Administrator – Village of Kiryas Joel
P.O. Box 566
Monroe, NY 10949

Dear Mr. Szegedin:

On March 7, 2013 staff from this Department inspected two parcels of land owned by the Village of Kiryas Joel off Vyoel Moshe Drive. These properties are listed as lots 308-1-8 and 308-1-2 on the Orange County tax lot map.

This inspection found that filling of Freshwater Wetland MO-11 has taken place on these properties in violation of Article 24 of New York State Environmental Conservation Law. **You are hereby directed to immediately cease this activity.**

The matter has been referred to the Department's Office of General Counsel for further action.

BE NOTICE THAT implementation of reclamation activities at the site in no way affects the rights of this Department to seek penalties and other relief in accordance with Environmental Conservation Law and the rules and regulations promulgated pursuant thereto.

Sincerely,

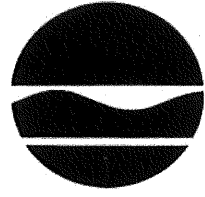
Douglas Gaugler
Biologist I

**New York State Department of Environmental Conservation
Division of Fish, Wildlife & Marine Resources
Bureau of Habitat, Region 3**

21 South Putt Corners Road, New Paltz, NY 12561-1620

Phone: (845) 256-3087 • FAX: (845) 255-4659

Website: www.dec.ny.gov



Joe Martens
Commissioner

Certified Mail – Return Receipt Requested
7009 2250 0001 9863 8242

November 25, 2013

Gedalye Szegedin
Village Administrator
Village of Kiryas Joel
P.O. Box 566
Monroe, NY 10949

NOTICE OF VIOLATION

Dear Mr. Szegedin:

Staff from the New York State Department of Environmental Conservation (Department) on November 20, 2013 inspected land owned by the Village of Kiryas Joel, located south of Meron Drive. This parcel is identified as lot 309-2-2 on the Orange County tax lot map.

This inspection found that substantial filling of Freshwater Wetland MO-11 has recently taken place on this property in violation of Article 24 of New York State Environmental Conservation Law. The site of this wetland disturbance follows the approximate route of an existing municipal sewer line. **You are hereby directed to immediately cease this activity.**

The matter has been referred to the Department's Office of General Counsel for further action.

BE ON NOTICE THAT implementation of reclamation activities at the site in no way affects the rights of this Department to seek penalties and other relief in accordance with Environmental Conservation Law and the rules and regulations promulgated pursuant thereto.

Sincerely,

Douglas Gaugler
Biologist 1

ecc: D. Pohle – EPA
B. Orzell – ACOE
J. Knaub, Regional Attorney – NYSDEC
C. Krebs, Esq. – NYSDEC
J. Battista, Env. Enf. Coordinator – NYSDEC
B. Drumm, Supervisor Habitat Protection - NYSDEC

BE0264025

New York State - Department of Motor Vehicles
OFFICER'S COPY

POLICE AGENCY
DECDLE

NAME: **Material Processors Inc** LOCAL POLICE CODE: **13-018778**

NUMBER & STREET ADDRESS: **280 State School Rd**

CITY: **Monroe** STATE: **NY** ZIP CODE: **10940**

I.D. NUMBER: **C** SEX: **C** DATE OF BIRTH (MMDDYY): **11/18/13**

STATE: **NY** LICENSE EXPIRES (MMDDYY): **11/18/13** VEH. TYPE: **C** VEH. YR.: **13** VEH. MAKE: **C** VEH. COLOR: **C**

PLATE #: **NY** REG. STATE: **NY** REGISTRATION EXPIRES (MMDDYY): **11/18/13**

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

TIME (24hour HHMM): **1000** DATE OF OFFENSE (MMDDYY): **111813**

VIOLATION OF: (SECTION AND SUBDIVISION) **24-07010**

DESCRIPTION / NARRATIVE: **Alter Freshwater Wetland without permit**

PLACE OF OCCURRENCE: **Defensed area between Ping Blvd and Tanager Way**

CITY: **Monroe** COUNTY OF: **Orange** PRECINCT: **13**

COMPLAINANT SIGN AND PRINT NAME/RANK: **E.R. Dilling**

RADAR OPERATOR NAME (Print): **E.R. Dilling**

DATE AFFIRMED: **111813** ARREST: **30** OFFICER ID #: **572**

COURT OF: **Monroe** COUNTY OF: **Orange**

ADDRESS: **17 Lake St** CITY: **Monroe** STATE: **NY** ZIP CODE: **10940**

RETURN BY MAIL BEFORE, OR IN PERSON ON: **01/30/14 at 12:00 A.M.**

FOR COURT USE ONLY: COURT CODE, JUSTICE CODE, DATE ADJUDICATED, DATE SENTENCE IMPOSED

CHARGE CONVICTED OF: **AS ABOVE** VTL **OTHER** DISPOSITION / SENTENCE, FINE, SURCHARGE

SAIL FORFEITURE: DATE, LIC, REV, SUSP, MAND, PERM, DAYS / MONTHS / YEAR



BE0264025

DWI / DWAI / DRUGS Test Results: 1. Given, 2. Refused, 3. No Test, UT-50.5 (4/10)

BE0264036

New York State - Department of Motor Vehicles
OFFICER'S COPY

POLICE AGENCY
DECDLE

LAST NAME: **Material Processors Inc** LOCAL POLICE CODE: **13-018778**

NUMBER & STREET ADDRESS: **280 State School Rd**

CITY: **Monroe** STATE: **NY** ZIP CODE: **10940**

I.D. NUMBER: **C** SEX: **C** DATE OF BIRTH (MMDDYY): **11/18/13**

STATE: **NY** LICENSE EXPIRES (MMDDYY): **11/18/13** VEH. TYPE: **C** VEH. YR.: **13** VEH. MAKE: **C** VEH. COLOR: **C**

PLATE #: **NY** REG. STATE: **NY** REGISTRATION EXPIRES (MMDDYY): **11/18/13**

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

TIME (24hour HHMM): **1000** DATE OF OFFENSE (MMDDYY): **1112013**

VIOLATION OF: (SECTION AND SUBDIVISION) **24-07010**

DESCRIPTION / NARRATIVE: **Alter Freshwater Wetland without permit**

PLACE OF OCCURRENCE: **Defensed area between Ping Blvd and Tanager Way**

CITY: **Monroe** COUNTY OF: **Orange** PRECINCT: **13**

COMPLAINANT SIGN AND PRINT NAME/RANK: **E.R. Dilling**

RADAR OPERATOR NAME (Print): **E.R. Dilling**

DATE AFFIRMED: **1112013** ARREST: **30** OFFICER ID #: **572**

COURT OF: **Monroe** COUNTY OF: **Orange**

ADDRESS: **17 Lake St** CITY: **Monroe** STATE: **NY** ZIP CODE: **10940**

RETURN BY MAIL BEFORE, OR IN PERSON ON: **01/30/14 at 12:00 A.M.**

FOR COURT USE ONLY: COURT CODE, JUSTICE CODE, DATE ADJUDICATED, DATE SENTENCE IMPOSED

CHARGE CONVICTED OF: **AS ABOVE** VTL **OTHER** DISPOSITION / SENTENCE, FINE, SURCHARGE

SAIL FORFEITURE: DATE, LIC, REV, SUSP, MAND, PERM, DAYS / MONTHS / YEAR



BE0264036

DWI / DWAI / DRUGS Test Results: 1. Given, 2. Refused, 3. No Test, UT-50.5 (4/10)

General Information

Type: Complaint

County: Orange

Town: Town of Monroe

Street Address: Meron Dr. intersecting Prag Blvd

Nature of Complaint: 8920 - Environmental Quality - Wetlands - Freshwater

Date Received: 11-18-2013

Time Received: 10:17

Complainant

Name: [REDACTED] **Home Phone:**

Address: **Work Phone:**

Kiryas Joel, NY **Cell Phone:**

Facts and Information provided by Complainant

The following information was received through the DEC website "Report an Environmental Violation Online" or sent directly by the complainant to an OPP dispatch mailbox:

Who Did It: Village of Kiryas Joel located in the town of Monroe, and the constructions company they hired for the excavation.

What Occurred: They are building a road in a registered NYS wetland buffer zone. It looks to me like a serious violation of NYS DEC Code. Please check it out.

They have a legal village easement on that property, but they are pushing the easement out further into the buffer zone on a very FAST pace, so inspectors will not catch on to it, and they will be building a road there.

When Did It Occur: Work in progress, needs to be stopped urgently to comply with DEC code.

County: Orange

Municipality: Village of Kiryas Joel

Location Or Address: Meron Dr. intersecting Prag Blvd in Village of Kirays Joel on both sides of the

How Did It Occur: They are going into the buffer zone around the wetland.

Additional Details: There is a little dirt road next to where Prag Blvd. road begins. Just go in there, and you will see the violations. They are building very fast to be a in a status quo situation.

Possible Responsible Parties Information

Name: Village of Kiryas Joel, Address: Kiryas Joel, NY	Date of Birth:	Homephone: Workphone: Cellphone:
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Closing Information

Prosecutor: District Attorney	Tickets	Warrants Executed
Referral Date:	BE0264025 BE0264036	Search Warrant: NO Arrest Warrant: NO
		Court Ordered Seal Executed Sealed: No

Dispatch Information

Date
Entered: 11-18-2013

Time
Entered: 11-18-2013

Officer: 572(Eric
Dowling)

Approved 342(Martin
By: Townley)

Approved
Date: 03-21-2014

Case
Disposition: Closed
Date Disposed: 03-20-2014
Opened By: Clark(Jennifer
Clark)

		Narrative
Date	Time	Notes
01-09-2014	12:56:16	<p>On 11/18/13 I responded to a complaint of road construction being done in a wetland area near the intersection of Prag Blvd and Meron Dr in the Village of Kiryas Joel, Town of Monroe. I arrived at the location and witnessed an excavator, steam roller and bull dozer being operated in what appeared to be an attempt to build a new road. The machines were being operated by employees of a company called Material Processors Inc of 280 State School Rd, Warwick, NY. I interviewed the site manager Gordon Hansen DOB [REDACTED] who made a brief statement about knowing that the area was a wetland, then he refused to give me any more information. I ordered work be stopped at that time, appx 1600 hrs on 11/18/13. After researching the area on NYS DEC Site mapper I determined the area was in fact a protected freshwater wetland. I then contacted Doug Gaugler of R3 Habitat. On 11/20/13 Myself and Doug Gaugler visited the location again and found the same company working on the same road construction. There was one employee on site, operating a bull dozer. His name is William P Ansardy 3rd, DOB [REDACTED] Mr Ansardy claimed that the boss told him to come back and work until the DEC told him to stop. I asked Mr Ansardy who gave him this order and he told me Jeff, the boss. I obtained Jeff's phone number [REDACTED] I attempted to call Jeff without success. I ordered work be stopped again. At this time Doug Gaugler and R3 General Counsel will be handling enforcement against the village. On 11/26/14 I drove to Material Processors at 280 State School Rd in Warwick and issued 2 summonses to the company secretary Maureen A Jenkins DOB [REDACTED] under the company's name for each day that I witnessed the violation occur. CASE CLOSED.</p>

General Information	
Type:	Complaint
County:	Orange
Town:	Town of Monroe
Street Address:	N. of Meron Dr.
Nature of Complaint:	8920 - Environmental Quality - Wetlands - Freshwater
Date Received:	12-05-2013
Time Received:	15:10

Complainant	
Name:	, Home Phone:
Address:	Work Phone:
, NY	Cell Phone:

Facts and Information provided by Complainant
complainant states there is concrete being poured - complaint came in via Douglas Gaugler Biologist 1 -- Bureau of Habitat

Possible Responsible Parties Information		
Name: Rodrigues, Vitor M	Date of Birth: [REDACTED]	Homephone:
Address: 2480 Rt 302		Workphone:
Middletown, NY		Cellphone: [REDACTED]
10941-0000		

Closing Information		
Prosecutor: None	Tickets	Warrants Executed
Referral Date:	BE0263266	Search Warrant: NO Arrest Warrant: NO
		Court Ordered Seal Executed Sealed: No

Dispatch Information

Date Entered: 12-05-2013

Time Entered: 12-05-2013

Officer: 576(Gregory
Maneeley)

Approved By: 334(Maude
Filmer)

Approved Date: 02-07-2014

Case Disposition: Closed

Date Disposed: 12-14-2013

Opened By: 558(Joshua
Sulkey)

Narrative

Date	Time	Notes
12-14-2013	08:30:58	<p>I responded to the above location on 12/5/13 at approximately 1545hrs. I observed that there was no concrete being poured at that time but did observe heavy dirt tracks in the road coming from the site where the concrete was being poured. I also observed the residue of concrete in the parking lot of 10 Drubige Way which is the paved parking lot adjacent to the site. I then located a truck that was parked on the site with USA Concrete and the #'s 845 742-0356 and 845 361-9828 and a Middletown location on the door. I then contacted the owner of the concrete company on 12/12/13 and made arrangements to meet him at the site on 12/13/13.</p> <p>I met with the concrete company owner, Vitor M. Rodrigues, on 12/13/13 of who stated that it was his company that poured the concrete. He stated that he did not have permits. I issued him a summons for ECL 24-0701(1) altering freshwater wetland without a permit.</p> <p>I am referring this complaint back to Doug Gaugler for further consideration as there is multiple locations and violations occurring at this location and there is an ongoing case with programs for this development. Also for the issuance of permits or remediation. Case closed</p>

EXHIBIT C

Kiryas Joel Sign

Welcome to KIRYAS JOEL

A Traditional Community of Modesty and Values

In keeping with our traditions and religious customs, we kindly ask that you dress and behave in a modest way while visiting our community

This Includes

**WEARING LONG SKIRTS OR PANTS • COVERED NECKLINES
SLEEVES PAST THE ELBOW • USE APPROPRIATE LANGUAGE
MAINTAIN GENDER SEPARATION IN ALL PUBLIC AREAS**

Thank you for respecting our values and please Enjoy Your Visit!

SPONSORED BY CONGREGATION TETZ LEV OF KIRYAS JOEL

Bienvenido a KIRYAS JOEL Una Comunidad Tradicional de Modestia y Valores
De acuerdo con nuestras tradiciones y costumbres religiosas, le rogamos en que se vistan y se
comporten de una manera modesta Durante su visita a nuestra comunidad

Incluyendo

**VESTIR FALDAS LARGAS O PANTALONES • ESCOTES CUBIERTO • MANGAS
PASADO EL CODO • USO DE LENGUAJE APROPIADO • MANTENER
SEPARACIÓN GÉNERO EN LAS ZONAS PUBLICAS**

Gracias por respetar nuestros valores y por favor Disfrute de Su Visita!

