

3.3.8 Community Services and Facilities Comments and Responses

Comment 3.3.8-1: (Letter 2, Steven Neuhaus, Orange County Executive, June 10, 2015):

Emergency Medical Services: The proposed annexation will have no impact on the provision of EMS in the annexed properties. Kiryas Joel Volunteer EMS (KJEMS) will need to increase its staffing and equipment.

Response 3.3.8-1: Comment noted. As referenced in Section 3.3.4 of the DGEIS, the Village anticipates an increase in KJEMS staff and equipment commensurate with population growth.

Comment 3.3.8-2: (Letter 2, Steven Neuhaus, Orange County Executive, June 10, 2015):

Emergency Communications: The residents of KJ often call a private call center with Yiddish operators to request emergency assistance. An increase in population will likely not be an increased burden on the 911 center.

Response 3.3.8-2: Comment noted.

Comment 3.3.8-3: (Letter 2, Steven Neuhaus, Orange County Executive, June 10, 2015):

Fire Service: Boundaries and Tax and Impact: Under state law, the boundaries of a fire district do not automatically change when the boundaries of a village expand. However, Town Law §182 notes that resident tax payers can petition to Town Board to diminish the fire district (Monroe FD) borders to exclude the annexed territory. The law states that the Town Board shall diminish the said fire district based on the petition. Presumably this would occur if the annexation were to move forward.

If the fire district outside the village of Kiryas Joel is reduced in size, the fire district may see a net increase in cost per dwelling unit: Although the district will confront a reduction and tax base (as the assessed value of real property within the district will have fallen by \$9.2 million), there will not be a substantial reduction in costs. Despite the potential reduction in calls for service, labor is volunteer and most of the capital and operational costs are fixed. If the tax base falls without a corresponding reduction in cost, the tax burden on remaining taxpayers would rise.

Response 3.3.8-3: The Monroe Fire Station is located at 526 Route 17M, south of Route 17. Properties within the Annexation territory are all located north of Route 17. Annexation would result in fire protection services being provided by the Village of Kiryas Joel and would, therefore, eliminate the potential need for a fire sub-station on the north side of Route 17, eliminating the costs of equipment and a sub-station for Monroe Fire District taxpayers. As discussed in Section 3.3 of the DGEIS the Village has a state of the art fire house and would expand services to meet the needs of the annexation lands should annexation be approved and the fire district boundary relocated. It is anticipated that the Town and Village would work together to minimize fiscal impacts to applicable taxing districts if the annexation petition is approved.

Comment 3.3.8-4: (Letter 2, Steven Neuhaus, Orange County Executive, June 10, 2015):

Fire Suppression: The Village of KJ Fire Department (KJFD) has appropriate response apparatus for village of this current size in building types. KJFD has a mixed volunteer and paid company firefighters. The majority of volunteer firefighters have beards to prevent adequate seal for self-contained breathing apparatus (SCBA) mask. Firefighters are required by OSHA to wear masks when fighting a fire or operating in other immediately dangerous to life hazard (IDLH) conditions. Therefore, it is a violation of OSHA standards for the majority of their volunteers to fight a fire inside a burning building. KJFD compensates for this fact by hiring firefighters from nearby areas to respond on a call to conduct interior operations at fire scenes. KJFD also hires firefighters to staff their station and equipment on approximately 75 days each year when village observance would prevent firefighters from performing firefighting duties.

A larger village with more buildings and residents will have more fires and other emergencies. Under KJFD'S current operational model, they will likely need to increase the number times that they request mutual aid. This increased demand from neighbors would not be offset by any additional revenue for the neighboring departments.

***Response 3.3.8-4:** Comment noted. The Village has paid fire fighters on-staff, 24/7 that have the ability to fight structural fires without the constraints of Orthodox Jewish firefighters who are bearded. As described in the DGEIS, as necessary, the Village will increase the number of SCBA certified firefighters to meet the increased needs of the annexation lands. It is expected that as a result of the increased staff, there will not be any increase in reliance on mutual aid.*

Comment 3.3.8-5: (Letter 2, Steven Neuhaus, Orange County Executive, June 10, 2015):

The DGEIS seems to suggest that because population growth is constant under either scenario (annexation or no annexation) the water and wastewater service requirements are also equivalent. However, without annexation, a portion of anticipated growth would occur in surrounding Towns zoned with 3.0 acre parcel sizes typically serviced with conventional wells and septic systems. Therefore the no annexation scenario precludes the need for a share of the otherwise proposed expansion of centralized water and wastewater infrastructure. The DGEIS must examine the benefits and/or liabilities associated with relieving expansion pressure on centralized W/WW services by the use of distributed W/WW services under the no annexation scenario.

***Response 3.3.8-5:** If portions of the annexation lands were developed under zoning that required a 3 acre parcel size, there would be a reduced need for public wastewater infrastructure. However, current history indicates that development in this area, specifically the Vintage Vista and Forest Edge development projects, will likely be at a higher density which will require public waste water service with or without annexation. Further, a majority if not all of the annexation lands currently lie within the Orange County Sewer District # 1 and therefore are entitled to public waste water service.*

The development scenarios presented in the DGEIS for evaluation of potential environmental effects are intended to illustrate the greater extent of possible development rather than a range (such as lowest and highest). The scenarios therefore include the stated assumptions, such as with central sewer and water which is generally required for higher density development. Clearly, development on any parcel in any district can be somewhere between zero and the projected maximum. Developing a low

density scenario serves no purpose in the evaluation of impacts of development potential. Again, potential density starts at zero.

Comment 3.3.8-6: (Letter 5, Susan H. Shapiro, Esq., Preserve Hudson Valley, LLC., June 10, 2015): 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 USA. “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 impoverished community of KJ who receives a large portion of governmental subsidies.

Response 3.3.8-6: *The current Village of Kiryas Joel is approximately 700 acres and the proposed annexation area is approximately 507 acres, thus upon annexation the Village would encompass about 1,207 acres or 1.875 square miles.*

The writer's comments relate to population growth, which will occur with or without annexation. *Population growth is not caused by or an impact of annexation. Costs of providing services associated with the natural population growth of the community is not an impact of annexation. It has not been demonstrated that the County taxpayers bear an enormous cost for social services to support the Village residents. In fact, the opposite is true. As discussed in DGEIS Section 3.3.5, the County Department of Social Services budget includes funds that are administered by the County but are reimbursed by the Federal and State Government. In fact 70 percent of the social services budget is reimbursable expenses. Due to modest family incomes and large family sizes, the Village of Kiryas Joel has a high percentage of households that are eligible (as other similarly situated households throughout the County, State and United States) for Medicaid and financial assistance for heating and food costs. These are the same services that are reimbursable by the Federal and State governments. The residents of Kiryas Joel do not utilize many other available County services supported by County tax dollars, including the Orange County Community College, Orange County Court System, Orange County jail, Orange County Sheriff, or the Valley View Nursing Home.*

Although the funds for food stamps and medicaid are administered by the County, most of the funding for these services comes from the Federal government. Since both the Town and the Village are within the jurisdiction of Orange County, whether the anticipated population lives in the Town or lives in the Village, the administration of funds would be the same.

As discussed in DGEIS Section 3.2, since the majority of persons expected to occupy the annexation lands send their children to private religious schools, costs to the Monroe-Woodbury Schools are not a contributing factor.

Also discussed in DGEIS Section 3.2, With Annexation, development of the annexation areas will result in a net benefit in tax revenue to the Town of Monroe and Orange County based upon an increase in assessed value of the developed annexation lands.

Comment 3.3.8-7: (Letter 6, Frank T. Simeone, Esq., June 9, 2015): The Board of Fire Commissioners and the Monroe Fire Department will be, we expect, the authority ultimately responsible for fire protection within the annexation area. In order to address fire protection concerns adequately, annexation proponents should provide information or assurances on the following points:

1. What is the official status of the Kiryas Joel fire department (KJFD)?
2. Why are residents instructed to call Kiryas Joel emergency dispatch in lieu of 911?
3. Does the KJFD follow the New York State guidelines of two firefighters into an alarm of fire and two firefighters standing by for rescue?
4. What firefighting equipment does the KJFD have?
5. Does the KJFD have full-time firefighters on duty?
6. How many qualified and trained members (volunteer or paid) does the KJFD have?
7. What are their qualifications: interior, exterior, or otherwise?

Response 3.3.8-7: All of the commenters inquiries are addressed in the DGEIS. As stated on page 3.3-5 of the DGEIS.:

"The Kiryas Joel Fire Protection District is coterminous with the boundary of the Village of Kiryas Joel. Fire protection is provided in the Village by the Kiryas Joel Fire Department (KJFD) which was established in 2000 as the fourth fire company in the Town of Monroe. The department operates out of the KJFD Headquarters and Training Center which is centrally located within the Village. The KJFD is a legally and properly functioning fire department recognized by NY State and Orange County,

The KJFD is staffed by a combination of paid firefighters and volunteers and provides full 24 hour, 7 day per week coverage. There are 8 paid firefighters and 60 active volunteer firefighters. The department operates three fire engines (pumpers), a ladder truck, a fully equipped rescue truck plus a mini pumper and a command vehicle. The volunteer personnel are not all certified as interior fire fighters due to the cultural norm for men to have beards. The paid fire fighters are SCBA rated interior firefighters to address this limitation.

Current response time for first responders is 90 seconds and for equipment is an average of four to seven minutes. In 2012 the department responded to approximately 1100 calls for service of which approximately 30 percent were fires.¹

Incidents that the KJFD responds to typically consist of, motor vehicle accidents, automatic alarms, vehicle fires, brush fires, and various other calls for assistance including calls for emergency medical service. The Department is a member of the Orange County Mutual Aid network and is assisted by mutual aid from neighboring fire

¹ NYS Office of Fire Prevention & Control; Report 1.2 Summary of Calls; January 1, 2012 to December 31, 2012; 36059 – Kiryas Joel Fire Company.

departments, including the Monroe Fire Department. Since the creation of the KJFD in 2000, the Monroe Fire Department no longer provides Class 1A first response to the Village of Kiryas Joel but is available via a call for mutual aid.² The KJFD is connected to the Orange County 911 emergency notification system, and actively provides assistance in the form of mutual aid to the other fire companies in the County.

Although the Village of Kiryas Joel is connected to the County 911 emergency response system residents often times call the KJFD directly. This is done primarily because the residents speak Yiddish not necessarily understood by the 911 operators. The KJFD has dispatchers who answer calls 24 hours per day, 7 days a week, 365 days per year. Calls for mutual aid would then be made at the discretion of the KJFD as needed”.

Comment 3.3.8-8: (Letter 6, Frank T. Simeone, Esq., June 9, 2015): In the event that the final annexation, should it occur, will rely upon the Village or its KJFD, the end result may be that the Monroe Fire Department will often be called in on mutual aid response. This means that, in effect, the taxpayers of the Monroe Joint Fire District will shoulder the costs of fire protection in the Village without any contribution to those costs from Village inhabitants or their tax assessments. Given the high number of calls received even at the present time from the Village, this results in the potential abuse of the mutual aid system. This is exacerbated by the delay in the calls for assistance received from Village residents and visitors as detailed below.

***Response 3.3.8-8:** There is no evidence that KJFD relies upon mutual aid more than other fire companies. The KJFD contributes equally to the mutual aid program by responding to calls whenever called upon. There is no record of any abuse or imbalance of use by the Village of the mutual aid program. The Village anticipates an expansion in both it's paid and volunteer fire staffing commensurate with population growth to reduce the need for mutual aid from surrounding communities. Geographically, the largest expanses of undeveloped portions of the Annexation properties are closer to the towns of Woodbury and Blooming Grove. Mutual aid, if required is typically provided by the fire department closest to the incident, thus any burden for mutual aid would not be borne exclusively by the Monroe Fire Department. As noted in the DGEIS, the KJFD likewise provides mutual aid assistance to its neighbors and anticipated continuing doing the same.*

The Village would expect to meet with representatives of the Monroe Fire Department to develop an acceptable arrangement for mutual aid response to the Orange County fire coordinator should the fire district boundary be revised.

Comment 3.3.8-9: (Letter 6, Frank T. Simeone, Esq., June 9, 2015): The Monroe Fire Department has noted difficulties in the past responding to alarms of fire or other general emergency within the Village of Kiryas Joel. These difficulties stem largely from the practice of businesses and residents within the Village of calling the KJFD or some emergency number provided within the village community, rather than 911, so that the calls may be properly routed through Orange County Dispatch. This has resulted and, we expect will continue to result, in delays of response or failures of timely response to fires and general emergencies. The proposed annexation will act to expand the geographic area in which this dangerous condition exists. Responsible fire protection has been jeopardized by the manner in which the Village of Kiryas Joel and its inhabitants have routed calls for alarms of fire or other general emergencies. The effect of this must be considered in any further annexation efforts.

² Phone Conversation with Monroe Fire Department First Assistant Chief, Jon Dolch, February 17, 2015.

Response 3.3.8-9: Please see DGEIS Section 3.3.4. The alleged difficulty appears related to the fact that for the majority of residents in Kiryas Joel, Yiddish is the primary language therefore making use of the current Orange County Dispatch impractical if not impossible. The Village of Kiryas Joel will advise its citizens to call 911 in the event of future emergencies to promote the proper routing of calls through Orange County Dispatch and improve response times should Orange County provide Yiddish speaking 911 operators on a 24/7 basis. However, until that time, asking Village citizens to call 911 and not be understood by English-only operators makes little sense when there is an emergency and time is of the essence. In addition, there is no information to suggest that response times have been affected or that fire protection services have been compromised by the current call system.

Comment 3.3.8-10: (Letter 9, Cathy Herbert, Tuxedo, June 14, 2015): The services that these individuals say they need are already available. Multiple commuter options are available in Monroe and adjacent communities that serve the NYC area. To base a need for annexation on potential future needs of commuters is inappropriate. Current services can simply be expanded.

Response 3.3.8-10: Addressing commuter issues is not the sole motivation for considering the annexation. The Village of Kiryas Joel is a pedestrian oriented community and relies heavily on mass transit over the private automobile. There are 22 miles of sidewalks in a Village that is 1.1 square miles in size, which are maintained by the Village and paid for with Village taxes. Refer to Response 3.3.8-12.

Comment 3.3.8-11: (Letter 9, Cathy Herbert, Tuxedo, June 14, 2015): annexation would place an inappropriate burden on firefighters in surrounding areas, especially if high-density properties are built and for which assurances of correct construction and meeting of codes applicable in the surrounding areas cannot be met. Annexation may result in significant dangers to firefighters in different locations.

Response 3.3.8-11: All development, whether with or without annexation is required to be built to New York State Fire Prevention and Building Code standards. These standards are not different from one municipality to the next. Both the Town and the Village have competent and trained building departments to insure code compliance.

The Village is prepared to address emergency services associated with its future growth and as noted before, will work with other mutual aid providers to assure that public safety is properly addressed.

Comment 3.3.8-12: (Letter 13, Matt Higgins, June 7, 2015): Stated purpose: Kiryas Joel is to be better able to provide service (/police, fire, etc." Village does not have a police force. Nor can its Fire Dept. enter a burning building; due to beards worn by Village Fire Dept. Village relies on outside police & fire now. The idea of Village providing better service is false.

Response 3.3.8-12: The KJFD is staffed by a combination of paid firefighters and volunteers and provides full 24 hour, 7 day per week coverage. The department operates three fire engines (pumpers), a ladder truck, a fully equipped rescue truck plus a mini pumper and a command vehicle. The volunteer personnel are not all certified as interior fire fighters due to the cultural norm for men to have beards. The paid fire fighters are SCBA rated interior firefighters to address this limitation. There is no

evidence that KJFD relies upon mutual aid more than other fire companies. The KJFD contributes equally to its mutual aid partners in responding to calls whenever called upon.

Generally, as described in the DGEIS, the Village is in a better position to provide a full and complete range of needed and desired services to its community than the Town of Monroe. The services include, among others, availability of municipal water and sewer, Yiddish speaking personnel, availability of pedestrian access to community services etc. As discussed in Section 3.0 of the DGEIS, the Village is prepared to supplement its existing municipal services to meet the future needs of the annexation lands.

Comment 3.3.8-13: (Letter 13, Matt Higgins, June 7, 2015): Those planned, & or approved developments must be listed in entirety. Impacts on sewer, water, and traffic & Social Service outlays by the tax payers must be considered.

Response 3.3.8-13: *Future development has been considered throughout the DGEIS. See DGEIS Section 3.3 on Community Services, Section 3.2 on Fiscal Resources, Section 3.4 on Transportation and Section 3.5 on the provision of water and wastewater utilities.*

Comment 3.3.8-14: (Letter 18, Stephen Welle, Mayor, Village of Harriman, June 10, 2015): The DGEIS does not reflect the impact on the local volunteer fire departments. Currently the Kiryas Joel Volunteer Fire Department relies on the surrounding volunteer fire departments for mutual aid for most structure fires. If the properties in question were developed with the high density development typical of Kiryas Joel, it is safe to assume that the number of structure fires would also increase putting another unreasonable demand on our volunteers. Why wasn't this addressed?

Response 3.3.8-14: *The Village provides for paid firefighters to supplement the Village's volunteer fire fighters and to compensate for any cultural limitations. The Village anticipates increasing both its paid and volunteer staff as population growth occurs to minimize the demand for mutual aid services.*

Comment 3.3.8-15: (Letter 26, Meyer Wertheimer, Executive Director, Hamaspik of Rockland County, June 15, 2015): Given our experience-based authority on the greater public's health needs, it is our position that the annexation is vital for several reasons. The elderly and frail among us, and those with other special needs, require access to regular clean water and sewer systems, as opposed to well water and septic systems, due to the specific hygienic and personal care needs that are part of their daily care. These individuals also require sidewalks illuminated with streetlights as opposed to undeveloped roads to allow them to be transported locally from place to place in wheelchairs, to keep them integrated in their community. The developed streets which will result from annexation will also give them close proximity to shopping, schools, libraries and houses of worship. Sidewalks, and fire hydrants, for that matter, are vital for these individuals. These individuals require both rapid access to emergency medical, fire department and public safety services in the event of health and other crises, and close local proximity to community health centers for their wellbeing. All of the above may seem provincial, but upon review, we are certain you agree that at the end of the day and at the bottom line, the annexation will save both New York State and Orange County substantial sums of money in terms of preventing far costlier institutionalization of individuals with involved daily care needs. It is simply vital to annex as much land as possible to ensure that all these vulnerable people are provided with much needed care services.

Response 3.3.8-15: *Comment noted.*

Comment 3.3.8-16: (Letter 27, Jacob Wieder, June 19, 2015): I want to dispel a myth that has been spread around by irresponsible sources who quote only partial statistics. Monroe residents have expressed their concern to me, they said that “all people in KJ are taking advantage of Social Service – extending the boundaries will drain the county’s budget”. This is a myth that must be dispelled! All of KJ is not taking advantage of social programs. While many are eligible for Healthcare like Medicaid due to larger families and not very high incomes, many of them have insurance coverage through their employers and use Medicaid only as secondary payer, but without going into nitty bitty details – I want everyone to know that many people in Kiryas Joel work hard, and pay taxes! There are many businesses inside Kiryas Joel, and many businesses outside of Kiryas Joel that are operated by KJ residents, we all pay taxes and contribute to the economy! There are many rich people with nice houses and fancy cars – these people pay taxes and support part of the county’s social budget! I want to ask everyone to look at the entire graph! Don’t take one slice out of the pie and smear innocent people like that! And please don’t use that to mislead naïve innocent people!

Response 3.3.8-16: *Comment noted.*

Comment 3.3.8-17: (Letter 27, Jacob Wieder, June 19, 2015): We do not have our own parks. Most of our other neighbors understand that this is what we want – we want for our kids’ access to medical care, schools, and parks where they feel safe and their needs are met.

Response 3.3.8-17: *Residents of the annexation territory desire the same types of services provided in the Village. They also seek to live as a cohesive community and annexation of property will allow for the growing population to be accommodated with these services. Annexation will provide an additional opportunity for development of more Village parks. The DGEIS provides the background to alert future decision-makers, including the Village Board, Planning Board and Zoning Board of Appeals, to consider the parkland and open space needs of its residents.*

Comment 3.3.8-18: (Letter 27, Jacob Wieder, June 19, 2015): Monroe residents also understand that Kiryas Joel and its residents bring benefits to them. We boost your economy. We shop in your stores, we run our own businesses and employ people from your communities in the towns and villages of Monroe, Harriman, central valley, Chester, Goshen, Middletown, (and so on) so many non KJ residents are employed in Orange County by businesses owned by KJ residents. We also employ many of you inside our village boundaries. Point in case: KJ contributes to the economy of the region on a large scale; expanding KJ will only expand the economy in the area.

Response 3.3.8-18: *Comment noted.*

Comment 3.3.8-19: (Letter 27, Jacob Wieder, June 19, 2015): Expanding the borders of Kiryas Joel will have a beautiful positive effect on the area! Kiryas Joel has no crime rate to speak of, no teen pregnancies out of wedlock, no drugs, no homeless, as well as other issues that are a big problem for municipalities with such a concentrated population! By extending the boundaries of Kiryas Joel, the Town, and County will have even more benefit of KJ’s low crime rate, the local crime rate is partially wiped out by KJ – making Orange County a more desirable place to live!

Response 3.3.8-19: *Comment noted.*

Comment 3.3.8-20: (Letter 29, Mary Bingham, Monroe, June 21, 2015): With or without the annexation, the Village of Kiryas Joel is projecting an increase in population to 19,663 as noted in the DGEIS. Currently the residents have one Village park on Larkin Drive in the Town of Monroe. Village residents also use other Town parks including but not limited to the Mombasha Park and the boat rental/pavilion at Round Lake. Will the increased population result in the need for increased parks in both municipalities? What will be the projected cost to build these additional park/recreation-areas? Will there be costs to improve the current parks to adequately address the needs of the increased population?

Response 3.3.8-20: *It is anticipated that the Village will develop park space to serve the needs of the annexation area as the area grows. It is also noted that Orange County maintains a park, a portion of which is in the annexation area, that would be expected to serve the area wide community (Gonzaga Park.) Gonzaga Park is located primarily in the Town of Woodbury with small portions located in the Towns of Blooming Grove and Monroe. Of the 216 total acres, approximately seven acres are located within the annexation lands in the Town of Monroe. Existing and future residents pay property taxes and sales taxes to the County, that are, in part, used to fund park improvements.*

Orange County has more than 15 municipal parks, including Gonzaga Park, to serve the needs of its 372,813 residents. According to the Orange County Website, the County owns close to 3,000 acres of parkland. With the additional population growth, this equates to approximately 7.65 acres per 1,000 population. This is well within the planning standards set forth by the National Parks and Recreation Association which recommends that 5 to 8 acres of parkland be provided per 1,000 population.

Annexation will provide an additional opportunity for development of more parks to serve the Village residents. The DGEIS recommends to future decision-makers, including the Village Board, Planning Board and Zoning Board of Appeals to consider the parkland and open space needs of its residents and to be carefully cognizant of important environmental assets of the annexation territory including the areas near the County's Gonzaga Park.

Comment 3.3.8-21: (Letter 37, Israel Knobloch, Kiryas Joel Volunteer E.M.S. Inc., June 10, 2015): KJ EMS has been providing high quality care with an exceptional quick response time to the Kiryas Joel community and when called upon, to its surrounding neighbors, for about 40 years. In the past year, KJ EMS responded to approximately 6000 calls. In 2014 we were recognized and awarded for agency of the year. We have been providing mutual Aid assistance to all our neighbors and we are available when we are requested for assistance, standbys, community affairs and local drills. We have the resources, personnel, ambulances, state of the art equipment and the constant continued support of our village governmental officials. Should the annexation go through, I am confident that we can continue providing the same high quality care within the same timely response that our community and residents have become accustomed to.

Response 3.3.8-21: *Comment noted.*

Comment 3.3.8-22: (Letter 40, Russ Kassoff, Monroe, June 22, 2015): In a meeting I had at the Orange County Department of Real Property and Budget, I was told that 10% of all the apartments in KJ are vacant. Why? A conservative estimate of today's KJ population is 25,000

in spite of all studies intentionally using numbers for everything that are over five years old! These vacant apartments could house 2,500 people!!! And yet public knowledge has printed 8,500 new units to be developed on rezoned annexed lands which could accommodate as much as 50,000 new people. NYS in the form of housing grants, aid and also Federal Funds are paid to KJ every year yet it's been 12 years since a village lottery was held to award low income housing to the poorest of KJ residents. Where is this money and why has KJ been allowed to disregard the lawful appropriating of a portion of these state and federal funds towards low income housing?

Response 3.3.8-22: *The comment is beyond the scope of the DGEIS.*

Comment 3.3.8-23: (Letter 43, Joel Mittelman, Executive Director, Ezras Choilim Health Center, June 22, 2015): Ezras Choilim Health Center is a New York State licensed diagnostic and treatment center that has been in operation in the Village of Kiryas Joel since 1995. We maintain a 40,000 square foot facility with 170 employees who successfully provide a "battery of services" (primary medical care, dental, and mental health care, as well as rehabilitative services) that has made us the provider of choice within our community. Although our designated service area is the Village of Kiryas Joel, we managed over 110,000 patient visits in 2014 and we draw patients from throughout the Town of Monroe and indeed the entire southeastern portion of Orange County.

The need and the ability to provide adequate housing as a best practice clearly contributes to the health of the population we serve and effectively support positive medical outcomes for the Center's patients.

With the continued growth of the Village, and as a public non-profit community health center, we are strategically positioned to meet the current and future primary health care needs of the growing communities noted.

Response 3.3.8-23: *Comment noted.*

Comment 3.3.8-24: (Letter 50, John Ebert, Chairman, Monroe Conservation Commission, June 20, 2015): Road Maintenance. The DGEIS concludes that the Town of Monroe would continue to maintain village roads at a discounted rate? The specific roads and actual cost to maintain roads under the existing contract are not detailed in the DGEIS. Does the current contract cover said cost?

Response 3.3.8-24: *The DGEIS states the fee paid by the Village to the Town for road maintenance services. The complete Road Maintenance Agreement between the Village and the Town is included in Appendix F5 of the DGEIS. It is assumed that an extension of the existing contract to cover future road maintenance would be generally similar to the existing contract between the Town and the Village for road maintenance which reflects an agreeable arrangement that addresses Town costs versus fees.*

Comment 3.3.8-25: (Letter 50, John Ebert, Chairman, Monroe Conservation Commission, June 20, 2015): Library. The Town of Monroe residents, including Petitioners, have full access to the services offered through the Ramapo-Catskill Library system. Unfortunately, as the Village of Kiryas Joel did not comply with their own agreement to construct a VKJ library in lieu of paying taxes to the library, Village residents are banned from checking out materials. The comment with regard to "Yiddish speaking" residents not using the services is without substantive support, as Yiddish speaking persons regularly use the library.

Response 3.3.8-25: *Current Village of Kiryas Joel residents do not utilize the Town of Monroe Library nor do they vote on Library budgets. With annexation, the residents of the annexation properties will no longer be able to check out materials from the public library but will have access to the private libraries in the Village.*

Comment 3.3.8-26: (Letter 54, David E. Church, AICP, Commissioner, Orange County Department of Planning, June 22, 2015): Based on the assumption that the population will remain constant with or without annexation, the DGEIS fails to enumerate any impacts on community service costs; however, this assertion is based on very strong assumptions about the ability of the community to increase density within the Village. In order to be complete, the DGEIS should address the implications for community services with increasing the population.

Response 3.3.8-26: *Population growth will occur with or without annexation. With population growth, there has been and will continue to be a need to expand the provision of community services to support the local citizenry. This is applicable to the growing population of every community in Orange County.*

Annexation itself is not a cause of population growth. Thus, the suggestion to address the implications for providing community services, while appropriate to any agency providing such services, does not require examination in the DGEIS on annexation, but rather could be best addressed by the County's own departmental planning studies. Moreover, consideration of strictly economic impacts is not within SEQRA's purview.

Comment 3.3.8-27: (Letter 54, David E. Church, AICP, Commissioner, Orange County Department of Planning, June 22, 2015): Administrative costs for the full range of county-funded and county-administered public services would be influenced by a significant increase in population, regardless of where in Orange County the increase is generated. This may require an expansion of county offices and/or other facilities.

Response 3.3.8-27: *Comment noted. The County is well aware of population growth and projections as numerous documents have been prepared by County staff that address potential scenarios for growth in the next ten years, including the County's own studies. In the report set forth in County records.*

(See http://www.orangecountygov.com/filestorage/124/1362/3210/Summary_Guide_to_Population_Projections_8-13-10.pdf)

Orange County projected the Kiryas Joel population in 2020 to be as high as 55,533. This study was approximately five years ago. With this information in hand, it is reasonable to conclude that the County and all local agencies are well aware of the natural growth that historically has been taking place in the Village and surrounding communities and is planning accordingly for the smooth expansion of services when and where applicable. Such growth is projected to occur regardless of any annexation and is not being caused or induced by annexation and therefore such an analysis is not necessarily within the purview of the DGEIS for the annexation action.

It should also be noted that given the Village's 2010 population count at 20,175 (based on the official 2010 US Census) and the most recent 2014 Population estimate at 22,634 (ACS 2009-2014 Census Estimate), given this current verified rate of growth, the County's estimate of 55,533 by the year 2020 is likely high.

Comment 3.3.8-28: (Letter 54, David E. Church, AICP, Commissioner, Orange County Department of Planning, June 22, 2015): The DGEIS should better articulate the capacity of the 45 public safety officers employed by the Village. The Orange County Civil Service Office lists only the title of 'Watchguard' for the department of Public Safety in Kiryas Joel but lists only five employees in that job classification. This substantial discrepancy should be addressed by creating a job description for Public Safety Officer with accurate qualifications and properly listing the professionals that work in this job title.

Response 3.3.8-28: The comment has been forwarded to the Department of Public Safety for further review and study. However, it is beyond the scope of this DGEIS on the annexation action.

Comment 3.3.8-29: (Letter 54, David E. Church, AICP, Commissioner, Orange County Department of Planning, June 22, 2015): The Urban Land Institute methodology used in the DGEIS for estimating staffing needs for police and public safety is based on ratios developed twenty years ago. The applicant should have developed a staffing model by estimating the needs based on the specific portfolio of services needed in the community, the anticipated demand for those services based on historical trends, and the community environment.

Response 3.3.8-29: The Village staff and its residents are satisfied with the level of services provided by the municipality. The ULI method is not an unreasonable one for large scale generic planning. However, as the community grows, the Village is constantly assessing service demands and its capability to respond. That activity will continue on an annual basis to assure that Village citizens receive the high quality of services that the Village has historically provided.

It is also noted that the DGEIS on the pending annexation petitions is not the vehicle for proper planning for population growth for the Village or the County.

The Village is highly cognizant of its growth projections and has been undertaking advance planning studies and implementation relating to infrastructure and services for many years.

Comment 3.3.8-30: (Letter 54, David E. Church, AICP, Commissioner, Orange County Department of Planning, June 22, 2015): The DGEIS does not consider the increase in calls in the neighboring communities that would be generated from the increased traffic volume on local roads and increased residents and visitors to the neighboring communities. This volume of calls would place additional stress on neighboring law enforcement agencies.

Response 3.3.8-30: As noted elsewhere in the DGEIS, the proposed annexation petitions are not going to lead to an increase in traffic volume or an increase in law enforcement activity.

No law enforcement agency has reported "stress" associated with existing conditions or projected future conditions.

The growth of Kiryas Joel is well known in local communities. In 2010, the County projected growth to more than 55,000 people by 2020 (without annexation), and that file has been publicly available on the County's website for many years. It is reasonable to conclude that local law enforcement agencies are well aware of anticipated growth

(projected to occur with or without annexation) and have budgeted and planned any desired expansion accordingly.

Comment 3.3.8-31: (Letter 54, David E. Church, AICP, Commissioner, Orange County Department of Planning, June 22, 2015): The DGEIS should clarify the existing presence of law enforcement in the Town of Monroe. As presently written, it overstates the availability of both the NYS Troopers and the Orange County Sheriff's Department. NYS Police Troop F is the primary responder to the town and several neighboring communities with between 1 and 3 units available to patrol and respond. The County Sheriffs do not maintain a presence in the community and respond to requests only when NYS Police Troopers are not available.

Response 3.3.8-31: *Comment noted. The Public Safety officers in the Village of Kiryas Joel are able to provide a more rapid first response based on their proximity within the Village. This is one example of the availability of services within the Village not currently available in the Town but that would be made available to the residents of the annexation territory.*

Comment 3.3.8-32: (Letter 54, David E. Church, AICP, Commissioner, Orange County Department of Planning, June 22, 2015): The DGEIS does not state whether or not the Village or residents of the annexed area would seek to reduce the boundaries of the Monroe Joint Fire District after annexation. If the boundaries of the district are reduced, the Monroe Joint Fire District will see a reduction in tax revenue with no presumed change in demand for services. The DGEIS should address how that negative impact should be addressed and how the Village will offset the lost revenue.

Response 3.3.8-32: *It is expected that the Village will pursue, with respect to the provision of community services, a situation that resembles the current state of affairs in the existing municipality. If that is the case, it can be expected that the Village will, in fact, provide fire protection services in its new area of coverage, reducing the demand on the Monroe Joint Fire District. If the Monroe Joint Fire District boundaries are reduced, it would be expected that there would be a resultant reduction in demand for its services.*

Comment 3.3.8-33: (Letter 54, David E. Church, AICP, Commissioner, Orange County Department of Planning, June 22, 2015): Most of the proposed area of annexation does not have municipal water and fire hydrants. The proposed structures, even with sprinklers, have the potential for large fires from the substantial use of combustible materials in their construction. The DGEIS must address the adequacy of water supply for fire suppression including hydrant locations, water pressure, and flow rates. In areas where municipal water is not present, resources for water such as draft points and cisterns should be considered as part of the application.

Response 3.3.8-33: *Should the annexation petition be approved, municipal water will be required in all Village streets with ready access to existing and new construction. There is no reason to expect that with proper engineering, water pressure and fire flow rates will be less than adequate for firematic purposes. There are many ways to address proper flows and water pressure in the municipal system.*

The Village has taken strides to assure that a proper water supply is available to accommodate its growth. Details such as those noted in the comment are typically addressed at the time of road construction and application for site plan, subdivision and/or building permits. If annexation is ultimately approved, all future development in

the annexation territory will be subject to all applicable federal, State and local laws, including both the NYS Fire Prevention and Building Code and the Village's zoning code. They would not be studied during a generic review of annexation.

Comment 3.3.8-34: (Letter 54, David E. Church, AICP, Commissioner, Orange County Department of Planning, June 22, 2015):

Kiryas Joel Fire Department relies on mutual aid from neighboring departments to extinguish fires where self-contained breathing apparatus (SCBAs) are needed. As indicated in the Orange County Mutual Aid plan: "Under generally accepted standards (ISO Municipal Grading Schedule), a fire department is expected to have appropriately trained manpower and equipment to handle two emergencies of moderate proportion. In essence a fire department would be expected to be able to at least fill a first alarm assignment and still have available resources to provide a minimal level of protection to its jurisdiction." Expanded territory and population will inevitably lead to additional requests for mutual aid to provide essential fire protection services that the Village should be able to provide on its own. The DGEIS should present a mitigation plan to prevent this unreasonable burden on neighboring departments unless a mitigation plan with sufficient trained firefighters on duty is enacted.

Response 3.3.8-34: *As noted in Responses 3.3.8-7 and 3.3.8-8, the Village maintains a paid professional full time staff trained and available to use self-contained breathing apparatus (SCBAs) for fire protection. Moreover, consistent with the NYS Building code all new multi-family unit construction will be required to be sprinkled, further reducing the likelihood of a catastrophic condition developing.*

The ISO Municipal Grading System referenced in the comment provides an evaluation of communities in the United States on their structural fire suppression capabilities. ISO is an independent company that serves communities, insurance companies, fire departments, insurance regulators and others by providing information about risk. ISO's expert staff collects information about municipal fire suppression efforts in communities throughout the United States. ISO analyzes the relevant data and assigns a Public Protection Classification (PPC) – a number from 1 to 10. Class 1 represents an exemplary fire suppression program, and Class 10 indicates that the area's fire suppression program does not meet ISO's minimum criteria.

ISO's PPC program evaluates communities according to a uniform set of criteria, incorporating nationally recognized standards developed by the National Fire Protection Association and the American Water Works Association.

A community's PPC rating depends on:

- ***Fire Alarm and communication Systems***, including telephone systems, telephone lines, staffing and dispatching systems.
- ***The Fire Department***, including equipment, staffing, training, and geographic distribution of fire stations.
- ***The Water Supply System***, including condition and maintenance of hydrants, alternative water supply, and water capacity compared to need.

The Village of Kiryas Joel has an ISO rating of 4, compared to the Town of Monroe annexation territory which has a rating of 9. (Refer to FGEIS Appendix J). The annexation petitioners' properties are rated a 9, the most dangerous fire rating according to the ISO criteria, therefore they pay the highest fire insurance premiums. If the 507 acre annexation is approved by the Town and Village Boards, the homeowners' ratings

will be significantly improved and they will be eligible to have their fire insurance premiums significantly reduced.

Comment 3.3.8-35: (Letter 54, David E. Church, AICP, Commissioner, Orange County Department of Planning, June 22, 2015): The DGEIS asserts that the KJFD has 8 paid fire fighters that are SCBA rated interior firefighters. Available information shows that there are five part time employees with the civil service title firefighter and one full time fire chief with the civil service title of laborer. Interviews with local fire officials outside of Kiryas Joel and from the KJ administrator indicate that the KJFD only uses paid firefighters on approximately 75 days of the year. This substantial discrepancy in the DGEIS dramatically overstates the current manpower capability of the department and should be corrected.

Response 3.3.8-35: *Information direct from the KJFD indicates there are eight paid fire fighters that are SCBA rated interior firefighters and that these fire fighters are available for structural fires 24/7.*

Comment 3.3.8-36: (Letter 54, David E. Church, AICP, Commissioner, Orange County Department of Planning, June 22, 2015): The proposed staffing impact described in the DGEIS appears to be based on the ratio of full time fire fighters to residents. This method is inappropriate for a community served by fully volunteer firefighters (Monroe Fire District) or a combination of part time firefighters and volunteers (Kiryas Joel.) The DGEIS staffing estimates must first address if the annexed area will be served by Kiryas Joel through diminishment of the existing fire district. If it will become responsible for the area, it should address how the department will meet industry standards for staffing and operations (such as NFPA 1720: Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations and Special Operations to the Public by Volunteer Fire Departments) without reliance on mutual aid for basic fire department operations. If the area will remain in the Monroe Joint Fire District, the DGEIS should consider if the increased call volume will necessitate the addition of paid staff at the Monroe Fire Department to handle the increase in calls.

Response 3.3.8-36: *The impact modeling factors do not distinguish between a paid fire fighter and a volunteer. A joint decision will need to be made by the Monroe Fire District and the Kiryas Joel Fire Department in order for a recommendation to the Orange County Fire Advisory Board to relocate the jurisdictional boundary between the fire districts. Such decision is not part of the proposed annexation action and is therefore beyond the scope of the DGEIS.*

Under the scenario where the boundary would be relocated, the provision of Fire Protection Services to the annexation territory would become the responsibility of the KJ Fire District. The Village would expand both the number of volunteer and paid firefighters to meet the future needs of the community and minimize reliance on mutual aid calls.

Mutual aid, when necessary, would not be restricted to the Monroe Fire Department but would be called for from the fire department nearest to the incident.

Comment 3.3.8-37: (Letter 54, David E. Church, AICP, Commissioner, Orange County Department of Planning, June 22, 2015): The DGEIS should clearly state the boundaries of the Ambulance Operating Certificate of Kiryas Joel Volunteer EMS (KJEMS), how annexation will affect those boundaries, and whether services to any person could be affected.

Response 3.3.8-37: *As documented in a letter by Israel Knobloch, Administrator for the Kiryas Joel Volunteer EMS Inc., dated June 10, 2015 (FGEIS Appendix E, comment letter #37), the Kiryas Joel Volunteer EMS (KJEMS) responds to all calls from within the Village and the surrounding area. The letter states, "Should the annexation go through, I am confident that we can continue providing the same high quality care within the same timely response that our community and residents have become accustomed to."*

Ambulance services today are provided to Kiryas Joel residents wherever they call for service whether they are within the Village at the time they need help or not. The KJEMS already travels into the annexation lands if a caller requires ambulance service. Upon Annexation, the Ambulance Operating Certificate of KJEMS would seek to be expanded to include the annexation lands.

Comment 3.3.8-38: (Letter 54, David E. Church, AICP, Commissioner, Orange County Department of Planning, June 22, 2015): The impact numbers for increased calls in the Village and neighboring areas in the DGEIS are based on twenty-year-old ratios. The DGEIS should create more accurate projections of future demand for service for both KJEMS and Monroe Volunteer Ambulance based on existing calls for EMS service in the community and population growth.

Response 3.3.8-38: *The passage of time, particularly a short time frame of 20 years, does not have a significant effect on how often people request medical attention. There is no reason to believe that the ULI multipliers are not valid. However, it is acknowledged that unique characteristics of the area population may influence the frequency of calls for EMS services outside the village.*

The limited availability of Yiddish speaking dispatchers and medical personnel promote a local reliance on the KJ EMS, regardless of their location. As a result, based on the anticipated growth and the current utilization of KJ EMS services, call volumes could increase by about 2,000 calls per year. This may occur over a period of time consistent with the availability of new residents for additional volunteers activity. As noted in the DGEIS, as demand increases, the KJ EMS is committed to increased service capabilities.

Comment 3.3.8-39: (Letter 54, David E. Church, AICP, Commissioner, Orange County Department of Planning, June 22, 2015): If the area is not annexed into the Village, the DGEIS should identify how residents in that area will access EMS services and if the Monroe Volunteer Ambulance will need to adjust its staffing model to handle the increased call volume.

Response 3.3.8-39: *If annexation does not occur, there is no reason to believe that access to EMS services would change. Given acknowledged communication constraints associated with a largely Yiddish speaking population and the clear preference for calling the KJ EMS, it is not likely that the Monroe Volunteer Ambulance will experience a significant increase in call volume with or without Annexation taking place. Rather, as noted in the DGEIS, as demand increases (even outside of the Village), the KJ EMS is committed to increased service capabilities.*

Comment 3.3.8-40: (Letter 54, David E. Church, AICP, Commissioner, Orange County Department of Planning, June 22, 2015): In the DGEIS, the estimated need for additional hospital beds are based on ratios developed more than twenty years ago. The DGEIS should

ascertain the impact of an increase in the share of population on Medicaid on the fiscal health of local healthcare facilities.

Response 3.3.8-40: *The need for hospital beds is not something that would change simply based on the passage of time. There is no reason to expect that the projected demand is inaccurate. There is no hospital in the Village of Kiryas Joel.*

Many hospital visits by this community actually take place in New York City area hospitals.

The use and repayment of medicaid funds, which are reimbursed by NY State will not be affected by the decision on annexation and therefore additional fiscal impact analysis in the DGEIS is not warranted or appropriate.

Comment 3.3.8-41: (Letter 55, Sheila Conroy, June 22, 2015): Being the fastest growing community in the state with such a high number of people “reliant” on government programs has a fiscal impact that needs to be examined. The DGEIS vaguely acknowledges that there are reports that the numbers are higher than the 57.3% cited but there is almost no documentation given for any figures. While there is some validity to the argument that Village residents do not generally incur costs to the taxpayer for jail and police services, the statements here do not allow an analysis to compare these costs. Usually 57% of communities are not in prison with entire families in prison for successive generations. Statements in this document acknowledge that cultural and religious practices that encourage large families also tend to place these families below the poverty level and give no indication that subsequent generations will not follow the same pattern. Given this unique characteristic, a better break-down and analysis needs to be done.

Response 3.3.8-41: *Reference was made to certain statistics in order to provide an accurate description of existing conditions. The purposes of the studies contained in the DGEIS are to identify and evaluate those topics that are likely to be impacted as a result of the decision on annexation. The services provided by Orange County and by New York State will not change whether the annexation lands are in the Town or in the Village. Therefore, as a result, there will be minimal impact on these services resulting from annexation.*

Moreover, consideration of strictly economic impacts is beyond the scope of the DGEIS.

Comment 3.3.8-42: (Letter 67, Richard J. Pearson, PE, & Robert B. Peake, AICP, June 18, 2015): What is the impact on the adjoining properties to the proposed annexation area on municipal services such as street snow plowing, trash collection, etc., particularly for the properties that will be surrounded on three sides by the annexation lands? Which municipality will provide these services? How will that be arranged?

Response 3.3.8-42: *The properties adjoining the annexation territory will be no more or less isolated from the Town of Monroe after annexation, than they are under current conditions. These parcels would still remain part of the Town of Monroe and entitled to all public Town and County services as they are today and would be in the future without annexation. There is no indication that the Town would or could treat these parcels any differently. Under existing conditions, primary access to this area is via County Route 44, through the Village of Kiryas Joel, and that would not change as a result of annexation.*

In any event, snow plowing and maintenance of the Town and Village roads is conducted by the Town of Monroe Highway Department. This maintenance is paid for through a combination of Town highway tax revenue and a negotiated agreement between the Town and the Village for the roads located within the Village. Trash collection and other municipal services will be provided by the appropriate municipality.

Comment 3.3.8-43: (Letter 67, Richard J. Pearson, PE, & Robert B. Peake, AICP, June 18, 2015): The DGEIS does not address the fiscal impacts associated with mutual aid requests to the Monroe Fire Department (MFD) should the Kiryas Joel Fire Protection District be expanded to include the annexation territories. The annexation territories would no longer pay taxes to the MFD, and thus the impact of these tax reductions on the MFD, which will respond to mutual aid calls in the annexed territories post-development when the building densities and sizes are larger, should be analyzed.

***Response 3.3.8-43:** As discussed in Responses 3.3.8-7, 3.3.8-8 and 3.3.8-14, the Kiryas Joel Fire Department envisions appropriate expansions of both paid and volunteer personnel commensurate with population growth to reduce reliance on mutual aid.*

Comment 3.3.8-44: (Letter 69, Daniel Richmond, Zarin & Steinmetz, June 22, 2015): The DGEIS claims that the tax revenues generated by new development in the territories at issue will support the increased need for services, such as fire protection, ambulance and health services. (DGEIS at 3.3-14 to 3.3-16.) The SGEIS must provide greater detail about anticipated tax revenues and apportionment to these services, including details on the current budget needs and potential equipment upgrades.

Furthermore, the SGEIS should discuss existing telecommunication, electric, and natural gas lines in surrounding areas, and describe the ability of these utility providers to service each potential development scenario. Possible utility improvements to service the area under the potential development scenarios must be proposed.

***Response 3.3.8-44:** Any future development plan for all or a part of the annexation territory will be subject to all federal, State and local laws, including SEQRA and the applicable zoning code.*

As future potential development scenarios are presented for evaluation to secure planning and zoning board approvals, specific details of the provision of services will be addressed on site specific basis and are, therefore, beyond the scope of the DGEIS.

Comment 3.3.8-45: (Letter 77, Joanne P. Meder, AICP, Meder Consulting Services, June 22, 2015): Potential Impacts- Other Public Services: The land selected for inclusion in the proposed Annexation Territory according to Figure 2-3 will result in a municipal boundary configuration that produces a few potentially awkward road relationships in the Town of Monroe. While it is likely that many of the boundaries of the proposed annexation areas were chosen to ensure that all portions of the proposed Annexation Territory were contiguous to each other and to the existing municipal boundary of the Village of Kiryas Joel, some new segments of road discontinuity will be created in a few locations. If a single road continually weaves in and out of two adjoining municipalities, such a condition could pose extra challenges for maintenance of that road as well as any sidewalks that are constructed along the traveled-way of that road. Examples of roads that will exhibit this characteristic if the Annexation Petition is approved

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without modification include portions of Seven Springs Mountain Road (C.R. #44), Seven Springs Road, Schunnemunk Road, Raywood Drive, Mountain View Drive, and Irene Drive. These practical considerations should be identified and analyzed.

Response 3.3.8-45: *It is reasonably anticipated that the Town Highway Department would continue to provide road maintenance of roads in the Village via the existing agreement with the Village. It is also reasonably anticipated that the Village will continue to provide for sidewalk maintenance for sidewalks within the Village.*