

**VILLAGE OF KIRYAS JOEL
VILLAGE BOARD**

RESOLUTION

DETERMINING THE DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (GEIS) COMPLETE AND SCHEDULING A PUBLIC HEARING AND COMMENT PERIOD ON THE DRAFT GEIS AND A JOINT HEARING WITH THE TOWN BOARD OF THE TOWN OF MONROE ON THE PETITION FOR ANNEXATION OF 507 +/- ACRES FROM THE TOWN OF MONROE TO THE VILLAGE OF KIRYAS JOEL AND THE PETITION FOR ANNEXATION OF 164 +/- ACRES FROM THE TOWN OF MONROE TO THE VILLAGE OF KIRYAS JOEL

May 1, 2015

WHEREAS, on or about December 23, 2013, certain private property owners (“507-acre Annexation Petitioners”) filed a petition with the Village of Kiryas Joel (“Village”) and the Town of Monroe (“Town”) to annex approximately 507+/- acres of territory comprised of 177 tax lots from the Town to the Village (“507-acre Annexation Petition”), pursuant to Article 17 of the New York General Municipal Law (“Municipal Annexation Law”); and

WHEREAS, the 507-acre Annexation Petitioners represent a majority in assessed valuation of the real property in the territory proposed in the 507-acre Annexation Petition to be annexed, according to the 2013 Final Assessment Roll of the Town, dated June 20, 2013; and

WHEREAS, on or about August 20, 2014, certain private property owners (“164-acre Annexation Petitioners”) filed a petition with the Village and Town to annex approximately 164+/- acres of territory comprised of 71 tax lots from the Town to the Village (“164-acre Annexation Petition”); and

WHEREAS, the 164-acre Annexation Petitioners represent a majority in assessed valuation of the real property in the territory proposed to be annexed in the 164-acre Annexation Petition, according to the 2014 Final Assessment Roll of the Town, dated June 26, 2014; and

WHEREAS, the 71 tax lots comprising the 164-acre Annexation Petition are included within and are a subset of the 177 tax lots in the 507-acre Annexation Petition; and

WHEREAS, consideration of the 507-acre Annexation Petition and the 164-acre Annexation Petition by the Village Board of Trustees (“Village Board”) are actions subject to the New York State Environmental Quality Review Act, (Environmental Conservation Law Article 8 and implementing regulations set forth in 6 NYCRR Part 617) (“SEQRA”); and

WHEREAS, on or about December 30, 2013 and August 21, 2014, the Village Board noticed its intent to the Town of Monroe to serve as the SEQRA Lead Agency for a coordinated SEQRA review of the 507-acre Annexation Petition and the 164-acre Annexation Petition, respectively; and

WHEREAS, the Village Board retained Tim Miller Associates, Inc., an environmental and planning consultant, to assist the Village in anticipation of its lead agency role by commencing the planning and preparation of a Generic Environmental Impact Statement (“GEIS”) in January, 2014; and

WHEREAS, on August 25, 2014, the Town of Monroe Town Board duly approved a resolution consenting to the Village Board serving as SEQRA Lead Agency for the coordinated review of the 164-acre Annexation Petition; and

WHEREAS, on September 5, 2014, the Village Board adopted a Resolution which: (i) established the Village Board as Lead Agency for the coordinated SEQRA review of the proposed 164-acre Annexation Petition; (ii) issued a SEQRA Positive Declaration requiring the

preparation of a Draft GEIS for the proposed 164-acre Annexation Petition; (iii) directed the circulation of a draft Scoping Outline and scheduling of a public scoping session on September 22, 2014; and (iv) established September 30, 2014 as the closing date of the public comment period on the draft Scoping Outline; and

WHEREAS, a duly noticed scoping session was held on September 22, 2014 and public comments were received from over 55 commenters on the draft Scoping Outline until September 30, 2014; and

WHEREAS, on or about November 14, 2014, the Village Board approved and distributed the final Scoping Outline for the Draft GEIS for the proposed 164-acre Annexation Petition; and

WHEREAS, on January 28, 2015, pursuant to SEQRA section 617.6(b)(5), the New York State Department of Environmental Conservation Commissioner designated the Village Board to serve as SEQRA Lead Agency for the coordinated review of the 507-acre Annexation Petition; and

WHEREAS, on February 6, 2015, the Village Board adopted a Resolution which: (i) established the Village Board as Lead Agency for the coordinated SEQRA review of the proposed 507-acre Annexation Petition; (ii) issued a SEQRA Positive Declaration requiring the preparation of a Draft GEIS for the proposed 507-acre Annexation Petition ; (iii) directed the circulation of a draft Scoping Outline and scheduling of a public scoping session on March 3, 2015 to; and (iv) established March 10, 2015 as the closing date of the public comment period on the draft Scoping Outline; and

WHEREAS, a duly noticed scoping session was held on March 3, 2015 and public comments were received from over 65 commenters on the draft Scoping Outline until March 10, 2015; and

WHEREAS, on or about March 20, 2015, the Village Board approved the final Scoping Outline for the Draft GEIS for the proposed 507-acre Annexation Petition; and

WHEREAS, the Village Board and its consultants prepared a proposed Draft GEIS in accordance with the final Scoping Outline which considered the 507-acre Annexation Petition as the primary action and the 164-acre Annexation Petition as an alternative; and

WHEREAS, the Village Board and its consultants considered the comments of over 175 residents and neighbors, including those received during and after the two Draft GEIS scoping sessions and a forum conducted by the County Planning Department; and

WHEREAS, the Village Board has carefully reviewed the Draft GEIS for consistency with the final Scoping Outline and completeness pursuant to the requirements of SEQRA sections 617.9 and 617.10.

NOW THEREFORE BE IT RESOLVED THAT, pursuant to 6 NYCRR 617.9(a), the Village Board hereby determines that the Draft GEIS for the proposed 507-acre Annexation and 164-acre Annexation is complete and adequate for public review; and

BE IT FURTHER RESOLVED THAT, that the Village Board, as SEQRA Lead Agency, hereby directs the Village Administrator and the Board's consultants to prepare, file and publish a notice of completion of the Draft GEIS and to file and circulate copies of the Draft GEIS in accordance with the requirements of SEQRA section 617.12; and

BE IT FURTHER RESOLVED THAT, the Village Board hereby determines to conduct a public hearing on the Draft GEIS and has directed the Village Administrator and the Board's consultants to prepare, file and publish a notice of the public hearing to be commenced on June 10, 2015 at 7:00 p.m. at the Bais Rachel Paradise Hall, 5 Israel Zupnick Dr., Monroe, NY 10950

and that written comments will be accepted on the Draft GEIS through the close of business on Monday, June 22; and

BE IT FURTHER RESOLVED THAT, upon its determination of completion of the Draft GEIS, the Village Board hereby determines that the 507-acre Annexation Petition and the 164-acre Annexation Petition are now likewise complete and, pursuant to section 704 of the Municipal Annexation Law, the Village Board directs the Village Administrator to arrange for notice of the 507-acre Annexation Petition and the 164-acre Annexation Petition be published once in its official newspaper and that a copy of said notice be mailed to each person or corporation owning real property in the territory covered by the 507-acre Annexation Petition and the 164-acre Annexation Petition as shown by the last preceding assessment roll and to all persons residing in such territory qualified to vote for officers of the Town as their names appear upon the register of voters for the last preceding general election within twenty days of the date of this resolution. Said notice shall state that the 507-acre Annexation Petition and the 164-acre Annexation Petition have been proposed and that a joint hearing with the Town Board of the Town of Monroe will be commenced in the Village of Kiryas Joel on June 10, 2015 at 7:00 p.m. at the Bais Rachel Paradise Hall, 5 Israel Zupnick Dr., Monroe, NY 10950; and

BE IT FURTHER RESOLVED THAT, pursuant to section 704 of the Municipal Annexation Law, the Village Board directs the Village Administrator to arrange for a copy of the notice of the proposed 507-acre Annexation Petition and 164-acre Annexation Petition and joint hearing be mailed not less than ten days prior to the date of the joint hearing to the Monroe Woodbury Central School District and to the Kiryas Joel Union Free School District; and

BE IT FURTHER RESOLVED THAT, the Village Board directs that copies of all of the aforementioned notices be posted on the public website being maintained for the Annexation actions by its consultant, Tim Miller Associates at <http://www.kj-segra.com/> .

On the motion of Trustee Goldstein, seconded by Trustee Landau, the foregoing resolution was adopted on a vote of 4 ayes, 0 nays, and 1 abs.

Dated: May 1, 2015