

1 STATE OF NEW YORK COUNTY OF RENSSELAER
2 TOWN OF SCHODACK
3 *****
4 PLANNING BOARD MEETING
5 *****
6 THE STENOGRAPHIC MINUTES of a portion of the
7 above entitled matter on April 5, 2021 as it
8 pertains to Scannell Properties, by NANCY L.
9 STRANG, a Shorthand Reporter at 7:55 P.M. VIA
10 Zoom Video Conferencing.
11
12 BOARD MEMBERS:
13 DENISE MAYRER, CHAIRPERSON
14 WAYNE JOHNSON
15 JAMES SCHAUGHNESSY
16 LAWRENCE D'ANGELO
17 ANDREW AUBIN
18 JOHN LAVOIE
19
20 ALSO PRESENT:
21 CRAIG CRIST, ESQ., COUNSEL TO THE BOARD,
22 (Recused for the Scannell Properties matter)
23 CHRISTOPHER LANGLOIS, ESQ., SPECIAL COUNSEL TO
24 THE PLANNING BOARD
25 NADINE FUDA, DIRECTOR, PLANNING & ZONING

1 MELISSA KNIGHTS, PLANNING & ZONING SECRETARY
2 DAWNE KELLY
3 STEVEN BOISVERT, PE, MCFARLAND JOHNSON
4 ADAM FROSINO, PE, MCFARLAND JOHNSON
5 DANIEL MADRIGAL, SCANNELL PROPERTIES
6 TERRESA BAKNER, ESQ., WHITEMAN OSTERMAN & HANNA

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1 MS. FUDA: Just to make note that Craig
2 Crist has recused himself and Christopher
3 Langlois is the Town Board Attorney is sitting
4 in for him as the Board Attorney for Scannell
5 Properties 508, LLC.

6 For the members, Nancy Strang is on
7 Zoom listening and she is the stenographer
8 for Scannell for this project. So, when you
9 speak, please state your name so she knows
10 who is speaking.

11 CHAIRPERSON MAYRER: Okay, so who do we
12 have on for Scannell?

13 MR. FROSINO: This is Adam Frosino with
14 McFarland Johnson. We have some brief visuals
15 to go along with the presentation tonight.

16 Is it possible to get access to share
17 my screen?

18 MS. KELLY: Yes.

19 MR. FROSINO: Just let me know when it's
20 ready.

21 MS. KELLY: Okay.

22 MR. FROSINO: I just want to introduce
23 myself. My name is Adam Frosino and I am with
24 McFarland Johnson and I am the project engineer
25 for this project. We have been hired by

1 Scannell Properties.

2 We have on the call here Daniel
3 Madrigal. He is with Scannell Properties. He
4 is the project manager on his side.

5 Also on the team is Steve Boisvert. He
6 couldn't be on the call tonight, but he is
7 involved with the project as well - as well
8 as Terresa Bakner, who was the legal counsel
9 for Scannell. Actually, it is the same team
10 as was for the previous project that was
11 completed a little further down Route 9 and
12 20.

13 I will start by just saying the intent
14 for our project at this meeting is that we
15 are hopeful that the Town Planning Board
16 will declare the lead agency as the notice,
17 we believe, went out 30 days ago. We also
18 are requesting that the public hearing for
19 this project be set for May 3.

20 I have shared my screen, which has the
21 rendering of the project. We did previously
22 present on this project last month with the
23 concept plan and we have advanced the plans
24 further with a package that was submitted
25 last week and I will go over that in a

1 little more detail as we go through this
2 presentation, understanding that some of the
3 Planning Board Members may not have been
4 able to review it in full detail, given the
5 amount of information that was provided.

6 So, just a brief overview of the
7 project again: It is a 56-acre parcel. A
8 combination of two parcels that were
9 subdivided back a few years ago. It includes
10 41 acres that will be disturbed in order to
11 develop the site and that's outlined as you
12 can see with the green area. Those are
13 essentially our disturbance limits. Of those
14 41 acres that are disturbed, there still
15 will be 25 acres of green space within the
16 whole 56-acre property.

17 What is being proposed is a 278,670
18 square-foot sales distribution center. It
19 includes a main building with the sales
20 distribution activity occurring, as well as
21 a front portion of the building for office
22 space which would account for approximately
23 a little over 17,000 square feet of office
24 space. In total, the building has 11.4%
25 building coverage on the site.

1 In the front portion of the site we are
2 proposing 442 employee parking spaces. It is
3 diagonal, but essentially they are along the
4 east and west, if you will, sides of the
5 building with a total of 78 loading docks.
6 Then, in addition to those loading docks,
7 there are parking spaces for trailers that
8 total 294 trailer spaces.

9 We are proposing three driveways; an
10 enter only driveway for trucks only that
11 would proceed past the guard shack and into
12 the truck area. Then, a truck exit only
13 driveway along this side - the west side of
14 the development (Indicating). Between these
15 two driveways would be an enter and exit
16 employee parking lot that would have access
17 only to the employee parking spaces and will
18 not be interconnected with the truck spaces.

19 We also proposed our drainage for the
20 front portion of the site. Essentially, the
21 employee parking lot and some of the
22 driveways will be draining towards in an
23 infiltration basin and sediment basin in the
24 front portion. Then roughly three-fourths of
25 the back part of the site will be draining

1 toward the back into a similar sediment
2 basin and infiltration basin in order to
3 manage the stormwater from the site.

4 We are also proposing the utilities
5 coming into the site along the corridor for
6 the truck exit and enter the building
7 roughly in the front west corner of the
8 building where the utilities would enter.

9 If you recall from a month ago, there
10 are some changes - not many - to the site
11 plan from what was previously submitted.
12 Those include the truck exit driveway, which
13 was previously at an angle and it has been
14 shifted further up the hill to increase site
15 distance for that driveway and make it a
16 safer exit for trucks.

17 We have also added a 600-foot sound
18 wall in the southwest corner of the site and
19 we also moved the water storage tank from -
20 it was previously near the entrance lane and
21 we have moved it to the exit lane as it
22 relates to the utility lines coming into the
23 site.

24 Those are really the only changes from
25 what was previously presented a month ago.

1 Obviously, in the last month we've been
2 very busy developing these plans and
3 developing the environmental impact and
4 assessment report. We also have a rendering
5 that was created specifically for the site
6 showing how it would look when completed,
7 including with grading. So, these plans that
8 we developed - we went from one plan sheet
9 and now we are at 44 plan sheets which was
10 submitted, as I noted, last week.

11 Some key points of what we have added
12 in those plans are a landscaping plan, a
13 detailed grading plan for the site, all the
14 proposed drainage including the stormwater
15 basins that I previously mentioned. The ones
16 in the front and you can't see in this
17 rendering, but the ones in the back are
18 behind the trailer parking.

19 Also, the utility designs as previously
20 mentioned, come up in this direction towards
21 the building (Indicating) and then they go
22 down NYS 150 to Schodack Valley Road to the
23 9 and 20 corridor.

24 We have also developed a detailed
25 erosion sediment control plan, as well as

1 appropriate phasing for the project. We also
2 developed an environmental assessment
3 report.

4 So, this is just the table of contents
5 for that environmental assessment report. I
6 will briefly go through some of the
7 highlights from the report, or in some of
8 what we believe are items of importance to
9 the Board. As you can see from the table of
10 contents, we looked at the impact on zoning,
11 land, water, air, plants and animals, the
12 aesthetic resources of the visual
13 assessment, the impact on noise, on historic
14 and archaeological resources, open space and
15 recreation, transportation, energy and then
16 growth and the character of the
17 neighborhood. In total, it's 660-plus pages
18 of information that was put together by our
19 team to assess all these different aspects
20 of the project.

21 I will go over a couple of the points
22 that were brought up in the previous concept
23 plan submission. Then, if there any
24 questions of any of the aspects of the
25 environmental assessment report, we will

1 gladly answer those tonight if we are able
2 to or provide feedback from our experts on
3 the project.

4 I will start by digging a little deeper
5 on the impact on transportation. A full
6 traffic impact study was completed and has
7 been submitted to the New York State
8 Department of Transportation. We are
9 awaiting comments and responses from the New
10 York State DOT. This traffic impact study
11 was also included as part of the EAR as an
12 appendix. In general, the majority of the
13 traffic will be exiting the site and 90% of
14 the trucks will be heading north on Route 9
15 and 20 and we are assuming 10% of the trucks
16 are projected to go south on 9 and 20. These
17 trucks are destined to Exits 11 and 12 on
18 the New York State Thruway - I90. The
19 employees have been distributed based on
20 existing traffic patterns and residential
21 densities in the area.

22 As a result of this analysis that was
23 completed for the traffic impact study,
24 there are some proposed off-site roadway
25 improvements. Again, these have been

1 proposed in the traffic impact study that is
2 being reviewed by the New York State DOT.
3 They have not been agreed to or approved by
4 the New York State DOT at this point, but it
5 has been submitted. Those improvements
6 include dedicated left-turn lanes into the
7 site on New York State 150. This would
8 require a slight widening of New York State
9 150 to allow for that center turn lane. It
10 also proposes a similar dedicated left-turn
11 lane when you approach the 9 and 20
12 intersection on 150 in both directions. This
13 will allow the proposed traffic to have its
14 own dedicated lane for the bulk of the
15 traffic that wants to head north on Route 9
16 and 20.

17 We are also proposing some
18 modifications to the existing signal that is
19 at the intersection of 9 and 20 and 150.
20 That would include the appropriate equipment
21 necessary to allow for protected left-turn
22 lanes. In other words, a left-turn arrow
23 would be provided for the traffic heading
24 toward the intersection from the development
25 site and allow them to have protective

1 movement to head north on Route 9 and 20.

2 Another area that was discussed at the
3 concept plan submission was the noise. A
4 complete detailed noise study and analysis
5 was completed for the project. I won't go
6 into all the details of the study, but I did
7 want to share this summary result table with
8 the proposed differences from what our sound
9 consultant deemed are the eight key receptor
10 locations.

11 As you can see here, three of those
12 locations would actually see a decrease in
13 the sound emissions off-site while the other
14 five would see a very, very minor increase
15 of the maximum of 3 decibels off-site. This
16 minor increase is deemed negligible in the
17 New York State DEC guidance. An increase of
18 3 decibels would not be noticeable by the
19 naked ear.

20 Another aspect was the visual
21 assessment. In a recent submission last week
22 we provided elevations. I will quickly go
23 through those.

24 This is the north side proposed or the
25 office space would be and the main entrance,

1 if you will, for employees (Indicating).

2 This is an illustration of the west
3 elevations with the proposed loading docks
4 (Indicating).

5 This is the proposed southern elevation
6 of the building (Indicating). There are no
7 loading docks here, but trucks would still
8 be parked along the building frontage.

9 Then, this is a graphic of the east
10 elevation (Indicating).

11 We would propose the total maximum
12 height, including some of the aesthetic
13 features of the building - the maximum
14 height is 49 feet above the finished floor.
15 The interior clear height has a minimum
16 clear height of 39 feet for the operations
17 to occur in the interior.

18 As part of the visual assessment we
19 also looked at sightlines for various
20 locations around the property. We took three
21 locations at each of the driveways along
22 Route 150. Now, we chose those locations
23 because there is a berm, if you will, that
24 kind of goes along 150 and these driveways
25 will have to be cut into that berm. Those

1 are really the only locations where from
2 Route 150 you will be able to physically see
3 the building.

4 We also did a section from the existing
5 residential house. It is located roughly
6 where my cursor is (Indicating). There is a
7 significant drop in the cliff, if you will,
8 roughly in this area (Indicating). So, it
9 goes down quite a bit and you will see that
10 in this section. We also looked at the
11 nearest residential house in the adjacent
12 neighborhood that is beyond the adjacent
13 parcel here that is vacant, currently
14 (Indicating).

15 So, in looking at those - viewshed one
16 is of the truck entrance. Here is our little
17 icon of a person (Indicating) and then you
18 have the existing grade, but the proposed
19 grade would allow for the road to enter and
20 the building would be visible from this
21 location.

22 This is a rendering of what it would
23 look like at this location (Indicating). As
24 I said, this is the truck exit driveway.

25 The next site line that we reviewed was

1 at the employee entrance. With the proposed
2 landscaping, it will be a broken up view of
3 the building with the proposed landscaping.
4 We can kind of see that here with this
5 rendering of what it would look like. You
6 can still see the building in the
7 background, but the proposed landscaping
8 does break it up.

9 The last line of sight that was
10 reviewed from State Route 150 was at the
11 truck exit driveway. As you can see, the
12 building will be able to be seen through
13 again some proposed vegetation. This is a
14 rendering of what it would look like from
15 this perspective on Route 150 (Indicating).

16 This is the view shed from the
17 residential home (Indicating). As you can
18 see, there is a pretty significant grade in
19 their backyard that goes up. The building
20 would not be able to be seen because of the
21 topography of the existing ground. I should
22 also note that we are also placing the
23 building a little bit below what the
24 existing grade is in certain areas. That
25 also helps hide the building a little bit

1 from the surrounding properties. The
2 existing grade is where my cursor is
3 (Indicating). The proposed building is going
4 to be down a little ways in this corner
5 (Indicating).

6 The last viewshed is from the
7 residential neighborhood to the south. As
8 you can see, there is vegetation between and
9 some screening from the topography, but
10 there is a pretty dense vegetation forest
11 between the two properties.

12 I also wanted to just make note that we
13 did receive the concept plan comments from
14 the Laberge Group. We did receive those just
15 prior to our submission. Some of those
16 comments had already been addressed prior to
17 even getting the comment letter and we did
18 attempt to address the majority of those
19 comments prior to submitting. We will have a
20 formal response letter to the Town
21 consultant's comments.

22 Then, with that, I am happy to
23 entertain any questions that anyone has on
24 the Board.

25 CHAIRPERSON MAYRER: Okay.

1 MR. LABERGE: I can go first. This is Rich
2 Laberge.

3 Adam was referring to my letter of
4 March 26th, which I am sure that you have in
5 front of you. There are a lot of different
6 types of items. Probably one that I would
7 ask Adam to speak about is a comment that
8 Wayne made at one of the previous meetings
9 which is number 10 - that it is close to the
10 adjacent parcel on the south.

11 Adam, maybe you can pull up the site
12 plan and point. It was the idea that I think
13 Wayne brought up the concept that we need to
14 leave some screening on site and we can't
15 rely on all the screening on that
16 neighboring property. So, probably on the
17 southeast corner of the building adjacent to
18 that there is the roadway. It just gets
19 tight there.

20 You did mention that you are talking
21 about a noise wall which is also some type
22 of visual screening. I guess it's a two-part
23 question. How high is the noise wall?

24 The second part would be: Is there an
25 ability to get some more green, so to speak,

1 in that corner that could be planted so that
2 the adjoining property doesn't have to use
3 the whole length of their property line to
4 screen your facility? Can you talk a little
5 bit about that? I know that it is tight
6 there with the cliff, as you mentioned.

7 Talk about the noise wall and what you
8 might be able to do there.

9 MR. FROSINO: The noise wall is currently
10 about 600 feet and goes in this direction. It's
11 purely sized, I should say, for noise but it
12 will provide an aesthetic screening obviously.
13 It would be material that would be similar.
14 There is about 15 to 20 feet of space. It
15 ranges in these two tight locations, but we
16 could add some additional on-site landscaping
17 to help better screen that. We could have had
18 more and there is room. There is some wiggle
19 room here between the proposed pavement and
20 where we could add some landscaping.

21 MR. LABERGE: Okay, this is Rich again.
22 Just the idea that I think landscaping the
23 entire boundary would probably be necessary and
24 such. Do you have a height calculated on your
25 noise wall yet, or is that still in

1 development?

2 MR. FROSINO: Yes, we do. It's 15 feet
3 high. That's what's being proposed right now,
4 as per the noise study.

5 MR. LABERGE: So, that's probably my major
6 question. You said you would respond to our
7 comments and that's fine and we haven't gone
8 through the fact that you have submitted yet.
9 So, were even.

10 In terms of stormwater, I guess the one
11 question I would have is: Are you working
12 with infiltration, or do you think it's all
13 detention?

14 MR. FROSINO: It's going to be
15 infiltration. We are still refining the ponds
16 based upon our geotech report. The type right
17 now is to do infiltration. You will notice the
18 blue shaded is intended to be our four bays or
19 sediment basins and then the dark green is
20 proposed to be the infiltration basin in both
21 locations. That is the intent right now.

22 MR. LABERGE: As I said, there is that
23 tight section at the rear of the building. You
24 have a retaining wall on the northwest side.
25 Are there any special soil concerns with that

1 topography and that wall, or have you done your
2 homework, there so to speak?

3 MR. FROSINO: We are awaiting the geotech
4 lab results. That geotech work has been
5 completed out there, but the geotech engineer
6 was doing some borings in that area,
7 specifically for that wall. So, that's still to
8 be determined. We have done our homework, but
9 we don't know what our grades are yet.

10 MR. LABERGE: Overall, speaking of soils,
11 is the site - do you expect a lot of export
12 really from the site?

13 MR. FROSINO: We do not. It is all in the
14 EAR - the specific numbers. I will generalize
15 it for you based on my memory. I believe we are
16 about 11,000 cubic yards of topsoil - is
17 projected to be needed to remove. If there's
18 truly that much topsoil out there, it cannot be
19 used as fill. We do not have a significant
20 amount of import or export. We are still
21 refining our numbers, but we tried to balance
22 the site as best as possible at this point,
23 understanding that during construction there
24 may be some spots where the material is no good
25 and needs to be exported out.

1 MR. LABERGE: So, that's kind of my
2 questions.

3 To the Board I would say: We need to
4 dig into what was submitted at the beginning
5 of this. Declaring lead agency - I know of
6 nobody who had asked to be lead agency, so I
7 would concur that can be done if the Board
8 so desires.

9 The other thing that Adam talked about
10 was a public hearing from May 3rd. I did
11 look briefly on Thursday. There is a lot of
12 detail there. I don't know that the site is
13 going to shift significantly.

14 One question I had would be: When do
15 you expect to have some DOT comments? That
16 kind of goes to the public hearing
17 scheduling. It's always good for the
18 Planning Board to have the other agency's
19 comments. I think DOT is probably the major
20 one that we don't have right now. We have
21 SHPO, by the way, for everyone's
22 information. The site has been cleared for
23 SHPO since I started working on it years
24 ago.

25 To Adam: When would DOT be able to

1 comment? Do you think you would have that in
2 hand by May 3rd?

3 MR. FROSINO: That is the intent is to
4 have that. We submitted it. We submitted it a
5 couple of weeks to New York State DOT. We hope
6 to have their initial comments prior to May
7 3rd. We have coordinated with them and they
8 said they have it. They don't have any
9 questions at this point. We are pushing them to
10 get something by the end of the month.

11 MR. LABERGE: So, those are my comments to
12 the Board. I guess just that I am okay with
13 both of those. I think it's beneficial to have
14 the DOT comments at the public hearing.

15 CHAIRPERSON MAYRER: Okay.

16 MR. JOHNSON: Denise, I have some
17 questions.

18 CHAIRPERSON MAYRER: Help yourself.

19 MR. JOHNSON: This is Wayne Johnson. Just
20 so you know, I believe you're going to have
21 some soil issues on your driveway entrances.
22 The stone on the slopes there now was put for
23 slope protection because the soils change
24 drastically from one spot on 150 to another.
25 Those slopes were covered with stone for slope

1 protection and you may find that you going to
2 need slope protection or flatten your slopes
3 for your driveways.

4 Secondly, I'm curious about the
5 northern limit of the noise wall. I can see
6 where you came up with ending it before you
7 get past the last parking spaces for the
8 trucks and trailers.

9 MR. FROSINO: Is that a question that I
10 can respond to now? I can.

11 MR. JOHNSON: It doesn't matter if you do
12 it now, or some other time.

13 MR. FROSINO: We looked into the noise to
14 try to meet the current Town Code requirements.
15 That's the limiting factor to where the noise
16 wall ends, at this point.

17 MR. JOHNSON: Wayne Johnson, again.

18 There are your noise issues. So, you're
19 going to have plantings. Do you have enough
20 room between the property line in your
21 improvements to have plantings so you can
22 have a visual barrier between your property
23 and the adjacent property? That adjacent
24 property is not part of your buffer. It
25 could be developed by anyone. It could

1 become housing. We can't expect the
2 neighbors to provide all of the buffering
3 and noise and visual protection from
4 something that you are developing. It's just
5 a statement for that.

6 Finally, I always have questions about
7 this and I'm not always sure. I can't
8 remember the answers, but your proposed
9 septic usage matches the water. It seems
10 like there's plenty of water available, but
11 the septic is always an issue.

12 Does the Town Board need to make a
13 determination of how much septic they can
14 use, or do we have some right to say that if
15 it's not over the Town's limits that we can
16 approve the project?

17 MS. FUDA: Rich, do you want to speak to
18 that?

19 MR. LABERGE: Sure. Actually, I don't know
20 the projected numbers and it was one of my
21 comments that the EAF needs to include that.

22 Adam, what are those projected flows?

23 MR. FROSINO: That would be 160 gallons
24 per minute at peak flow and 6,000 gallons per
25 day. Those are the projections right now.

1 MR. LABERGE: So, I believe the Town has
2 the capacity and this parcel or these parcels -
3 where in the water district and the sewer
4 district were extended, it covers these
5 parcels. So, I think the Town Board should be
6 alerted to the potential use just to see if
7 they have any comments. Again, it is wastewater
8 capacity, by contract, is the concern. I don't
9 think it's a bad thing. We basically have to
10 get any comments that they have from it. To my
11 knowledge, based on all the current flows from
12 the other Scannell project on Route 9, there is
13 capacity still even after that has kicked in. I
14 think it's a good comment and that's all I can
15 comment on for now.

16 MR. JOHNSON: Wayne Johnson, again.

17 I just remembered another question that
18 I had. On the traffic study does that
19 include all of the current traffic to
20 Amazon, or do we know if Amazon has made an
21 impact on the level of service at 150 and 9
22 and 20? The numbers that I saw on your
23 report - the level of service is going to go
24 down significantly, but I'm not exactly sure
25 that Amazon was included in all of those

1 numbers.

2 MR. FROSINO: I can respond to that. The
3 traffic data collection - the traffic was
4 counted at all the study area intersections,
5 specifically for this project. However, to be
6 consistent with the COVID protocols for New
7 York State DOT and what we have done with all
8 of our traffic studies nationwide, we compared
9 it with existing count data that we had and
10 then use the higher of the two data sets. In
11 this scenario, we ended up using the previously
12 counted traffic for the Amazon site and then we
13 also added the proposed traffic from the Amazon
14 site as the base background traffic for this
15 project as well. So, even for COVID reasons,
16 Amazon is running under capacity as it relates
17 to how many employees are coming in, we are
18 assuming the worst case scenario. That is what
19 was used on the previously completed traffic
20 study. So, we used essentially the proposed
21 build volumes from the previous report as our
22 base volumes for this report. To be
23 conservative, if everything goes back to normal
24 and both facilities - this one and the Amazon
25 facility are running at full capacity at peak

1 seasons, that's what we analyzed.

2 CHAIRPERSON MAYRER: Okay. So, there's
3 just a couple of things. I think we need a
4 motion for lead agency for this project. So, do
5 I have that motion?

6 MR. AUBIN: So moved.

7 CHAIRPERSON MAYRER: Second?

8 MR. D'ANGELO: Second.

9 CHAIRPERSON MAYRER: All in favor?

10 (Ayes were recited.)

11 (The motion was passed unanimously.)

12 Okay, in terms of scheduling the public
13 hearing, I don't think engineering has any
14 objection and I don't think the Board
15 Members have any objection to scheduling it
16 for May, assuming that the DOT information
17 comes in and everything else is here. That
18 determination will be made on the April 19th
19 meeting. Right now, it is tentative.

20 MS. FUDA: And they will not have to be
21 here for that.

22 CHAIRPERSON MAYRER: So, yeah, did you
23 hear that? You do not have to be here for the
24 19th. We just have to have the confirmation
25 from engineering that we have everything and

1 then we can go ahead and schedule it. If
2 there's nothing else, we can move on tonight.

3 Thank you very much for your
4 presentation. It was very thorough.

5 MR. FROSINO: Thank you and have a good
6 evening.

7 CHAIRPERSON MAYRER: You too.

8
9 (Whereas the above entitled meeting
10 regarding the Scannell property issue was
11 concluded at 8:29 PM)

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CERTIFICATION

I, NANCY L. STRANG, Shorthand Reporter
and Notary Public in and for the State of
New York, hereby CERTIFIES that the record
taken by me at the time and place noted in
the heading hereof is a true and accurate
transcript of same, to the best of my
ability and belief.

Date:_____

Nancy L. Strang
Legal Transcription
2420 Troy Schenectady Road
Niskayuna, NY 12309

