

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 June 21, 2021 at 7:20

8 PM at the Town of Schodack Town Hall, 5

9 Schuurman Road, Castleton, New York, as it

10 pertains to Scannell Properties Matters by

11 NANCY L. STRANG, a Shorthand Reporter at 7:20

12 P.M. transcribed via a taped live-stream

13 meeting.

14

15 BOARD MEMBERS:

16 DENISE MAYRER, CHAIRPERSON (RECUSED FOR THE

17 SCANNELL PROPERTIES MATTER ONLY)

18 WAYNE JOHNSON, ACTING CHAIRPERSON FOR THE

19 SCANNELL PROPERTIES MATTER ONLY)

20 JAMES SHAUGHNESSY

21 LAWRENCE D'ANGELO

22 ANDREW AUBIN

23 JOHN LAVOIE

24 STEPHANIE LEONARD

25

1 ALSO PRESENT:
2 CHRISTOPHER LANGLOIS, ESQ., SPECIAL COUNSEL TO
3 THE PLANNING BOARD
4 NADINE FUDA, DIRECTOR, PLANNING & ZONING
5 MELISSA KNIGHTS, PLANNING & ZONING SECRETARY
6 DAWNE KELLY
7 STEVEN BOISVERT, PE, MCFARLAND JOHNSON
8 ADAM FROSINO, PE, MCFARLAND JOHNSON, (VIA ZOOM)
9 DANIEL MADRIGAL, SCANNELL PROPERTIES, (VIA
10 ZOOM)
11 TERESSA BAKNER, ESQ., WHITEMAN OSTERMAN & HANNA
12 MORGAN RUTHMAN,
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INDEX

PUBLIC COMMENT.....PG.	4
SCANNELL PROPERTIES MATTER.....PG.	8

1 CHAIRPERSON MAYRER: This is part of the
2 agenda were any member of the public who wishes
3 to make a comment on anything on the agenda may
4 do so outside of the public hearing.

5 MR. RUTHMAN: Good evening, Morgan Ruthman
6 on behalf of Van Hoesen Station, LLC. We have
7 an item on the agenda this evening and I'm
8 actually here just to speak briefly on the
9 proposed Scannell distribution facility.

10 The Town uploaded a number of documents
11 provided by Scannell recently. The public
12 hearing was previously held and some of the
13 documents that were furnished by Scannell
14 were responsive to comments made by the Town
15 Engineer, as well as comments made by the
16 public.

17 June 14, 2021 letter from McFarland
18 Johnson - I just had a couple quick remarks
19 in response to a couple of the comments in
20 that letter.

21 Comment number 12 says that a portion
22 of the site development is very close to the
23 adjacent parcel and the Board has requested
24 an increase in the distance between the
25 paved areas and the southern property line.

1 The response states the noise wall was
2 extended along the southern property line,
3 but there is no actual response to the
4 increase in distance or separation. That is
5 non-responsive.

6 Page 4, comment number 24 stating that
7 a retaining wall detail has been included on
8 sheet DT01. The June 14th plans that are
9 contained on the Town's website don't
10 contain a copy of that. It's possible that
11 there's a separate plan set that has the
12 sheet DT01 that contains the height, or
13 dimensions, or specifications for the sound
14 wall, but the DT01 sheet on the Town's
15 website currently doesn't contain that
16 detail.

17 Page 5, regarding comment 30 - the
18 noise analysis study - basically, OAA the
19 consultant for Scannell performed two
20 analyses; an initial analyses and then a
21 follow-up revised analysis. It states here
22 on page 5 that the extended noise wall and
23 screenings along the wall have been added.
24 An updated noise study was submitted May
25 20th. The comments in response to comment

1 number 30 are non-responsive in terms of
2 what the actual impacts of the proposed
3 project are going to be.

4 Just real quickly regarding the
5 comments provided to the Town by the
6 applicant itself - there is a PDF titled
7 response to public comments. On page 19 in
8 response to comment 71 beginning in fact
9 with comment 69 actually, there were several
10 remarks. One of the reoccurring themes in
11 Scannell's responses that there is no
12 application pending by Van Hoesen Station,
13 LLC, therefore it's difficult to speculate
14 as to what the proposed impacts are going to
15 be.

16 So, based upon on our submittal to the
17 Town and what the Planning Board will be
18 reviewing tonight, we would like Scannell to
19 have an opportunity to revisit some of the
20 assumptions in the analysis contained in the
21 OAA report and we will be happy to work with
22 the Town and Scannell to work those things
23 out.

24 Just in response to comment 71 as well,
25 there is a comment at the bottom of page 19

1 stating that they made a more conservative
2 assumption using a different location for
3 the acoustical impacts. They use location 2
4 ambient data and at that typifies a
5 residential development offset from major
6 roadways and are using that data as criteria
7 for locations J and K. They updated tables 6
8 and 7 as follows:

9 It's unclear to me that was intended to
10 be included in this response or there is a
11 separate update to that table for the OAA
12 report that would reflect the revised
13 assumptions in table 6 and 7.

14 Then, lastly just to conclude, on page
15 26 in response to comment 96, the Scannell
16 response states that the sound and visual
17 screening wall has been lengthened and
18 heightened quote/end-quote. Again, in the
19 absence of that specification on Sheet DT01
20 I am not certain what the proposed height of
21 that actual wall is at this time and if it
22 in fact was heightened based on what was
23 initially submitted versus what is being
24 proposed now.

25 We will have an opportunity to discuss

1 in more detail our project as part of the
2 agenda tonight, but in the meantime we just
3 wanted to touch briefly on the responses
4 that they furnished and just reiterate that
5 we have some concerns about the potential
6 impact and we look forward to a meaningful
7 dialogue. Thank you, very much.

8 CHAIRPERSON MAYRER: Anyone else present
9 that wishes to make comment on any item on the
10 agenda tonight?

11 (There was no response.)

12 Okay, if not, then anyone in the public
13 that's online, please text or call.

14 MS. FUDA: 518-376-7875.

15 One more time, if there is anyone out
16 there that would like to call in and make
17 comment on anything on the agenda other than
18 the public hearing sessions, please dial
19 518-376-7875.

20 (There was a brief break in the
21 proceedings.)

22 CHAIRPERSON MAYRER: Okay, we have nothing
23 so we will close the period of public comment.

24 (Whereas the period of public comment
25 for the evening was concluded at 7:28 PM)

1 (Whereas the portion of the meeting
2 regarding the Scannell properties commenced
3 at 7:48 PM.)

4 ACTING CHAIRPERSON JOHNSON: I will try to
5 figure out where we stand. I had some comments
6 on the response to the public comments. I would
7 like to allow and get those to the engineer and
8 see if we need to ask for supplemental
9 response.

10 MS. FUDA: Do you want me to make a copy
11 of those?

12 ACTING CHAIRPERSON JOHNSON: I think I'll
13 put them in a little better form.

14 What's the next step we need to take,
15 Rich?

16 MR. LABERGE: Well, tonight we are really
17 here to look at how the applicant explained
18 some of the responses mostly for the Board and
19 the public's benefit and then we are going to
20 go into a review mode of all the information
21 and what has been satisfied and what might
22 still be confusing and ask some more questions
23 or make some more comments. Really, my intent
24 tonight was to hear about some of that and let
25 the Board ask any questions about any materials

1 that were presented.

2 ACTING CHAIRPERSON JOHNSON: Are you
3 prepared to respond to comments?

4 MR. BOISVERT: Yes, we are prepared to
5 respond to the two items that the Board asked
6 us to take a look at the last meeting, as well
7 as just to a recap of all the project changes
8 that we have made to address all the comments
9 to date and then ask the Board to consider
10 holding a special meeting before their next
11 scheduled July 19th meeting because their
12 normally scheduled meeting every two weeks
13 falls on a holiday. So, we were going to ask
14 the Board to consider holding a special meeting
15 on July 12th or so to address any comments or
16 provide clarifications, as Rich mentioned,
17 during the review process that is currently
18 gone underway.

19 We do have some material we would like
20 to share with the Board.

21 ACTING CHAIRPERSON JOHNSON: Okay, you can
22 do that.

23 MR. BOISVERT: Okay, there were two items
24 that the Board asked us to take a look at
25 during the last meeting. One was the driveway

1 configuration and following up with meeting
2 with DOT. The other item was addressing any
3 landscape comments that we have.

4 I'm Steve Boisvert with McFarland
5 Johnson and I have here with me, Daniel
6 Madrigal with Scannell Properties, Adam
7 Frosino with McFarland Johnson, Teresa
8 Bakner with Whiteman Osterman and Hanna and
9 then Matt Brobston and Bridget Snover with
10 the LA Group to address any landscape
11 architecture design comments.

12 With that, we would like to inform the
13 entire Board that we did meet with the DOT,
14 two Board Members, Town staff and Town
15 Engineer two Thursdays ago and discussed
16 driveway reconfigurations. The results of
17 that meeting was that the applicant had to
18 come back and provide alternatives of
19 driveway configurations. We did that and we
20 met again with Town staff, Town Engineer and
21 two Planning Board Members and concluded
22 that the consensus was one of our five
23 alternatives - alternative number three was
24 the preferred alternative driveway
25 configuration.

1 We have since just received this
2 morning from the DOT they are in concurrence
3 with alternative three as the new driveway
4 configuration. So, what I would like to do
5 is present that new driveway configuration
6 for the rest of the Board and the public.

7 So, if you recall we had three driveway
8 locations servicing the project and it was a
9 clockwise truck circulation pattern. Now we
10 have reversed the truck circulation pattern
11 and eliminated one driveway. This allowed us
12 to extend the left turn bays on Route 150
13 and also provide a separate yet connected
14 employee entrance.

15 So, trucks will traverse in a westward
16 direction down 150 and enter into the
17 westernmost driveway. Employees will also
18 traverse westerly on Route 150 and enter
19 that same driveway configuration. Trucks
20 will enter and circulate around the building
21 in a counterclockwise scenario and exit onto
22 150 at the optimum location for intersection
23 sight distance where the previous employee
24 entrance was. The trucks will all exit right
25 out of the site and approach the Route 150

1 intersection. Employees will enter again at
2 the only entrance to the facility, if you
3 will, hug the left hand lane, enter the
4 parking lot and then exit out along the same
5 driveway. There will be pavement markings on
6 the pavement to delineate employees and
7 truck traffic as well as potentially the
8 final design may include a little island
9 that delineates the truck entrance which
10 will stay right and the employee entrance
11 cars will veer to the left.

12 Again, this is the circulation pattern
13 and the driveway location that the DOT has
14 approved also by way of an email this
15 morning.

16 ACTING CHAIRPERSON JOHNSON: Just for the
17 public's information, you are looking at a
18 mirror image of the driveway. 9 and 20, we have
19 shown on the left on what they are seeing.

20 MS. FUDA: I do have one that we can pass
21 down to the other end.

22 MR. BOISVERT: It is on the board. I don't
23 know if the camera can see that. It would still
24 be reversed, probably.

25 That is one of the items that again

1 this Board asked us to step away and we have
2 accomplished that.

3 The other item is any landscaping
4 comments with regard to our design. I don't
5 know if you have any, but we can call up our
6 landscaping plans. We have them with us.

7 While Adam is doing that, I will just
8 recap all the project changes that we have
9 made to address comments. Staying with
10 traffic, we have added a pedestrian
11 crosswalk into directions at the
12 intersection of Route 9 and 150.

13 The other traffic project change that
14 we made as we added exclusive left turn bays
15 on all four approaches to the intersection
16 of 150 and 9, again, to address the comment
17 made during the public process.

18 We lengthened the original noise wall
19 which was only about 550 feet. We lengthened
20 that for another 1,000 feet for a total
21 length of 1,550 feet. The height of the wall
22 is 15 feet. We have added substantial
23 landscaping on the south side of the noise
24 wall along our south property line. The
25 original plan did not propose landscaping

1 along the entire length. We do that by
2 shifting the wall about 5 feet away from the
3 property line to add some more room to add
4 an extensive row of landscaping between our
5 wall and our south property line. We also
6 extended a berm and landscaping out front to
7 help screen the project from Route 150 and
8 also added landscaping. We have revised this
9 for the new driveway configuration, but the
10 landscaping design as shown on this plan
11 will also be mirrored on the two driveway
12 locations that we now are moving forward
13 with.

14 We lowered the height of the light
15 poles on-site from originally 40 feet down
16 to 25 feet for the employee parking lot. It
17 remains 30 in the rear truck, but we are
18 also proposing shoebox type fixtures with
19 glare shields to prevent any type of light
20 spillage.

21 We also added a sidewalk along Route
22 150 from the intersection of 150 and 9 to
23 our employee entrance and again that will be
24 realigned with the new driveway
25 configuration.

1 We also incorporated, as part of the
2 applicant's due diligence, some
3 environmental improvements that would help
4 protect the aquifer.

5 The stormwater, as we mentioned
6 previously, has three phases of
7 purification. The stormwater will be drained
8 into catch basins and manholes that will
9 have sumps, which is the first means of
10 purifying the stormwater. There will be a
11 close drainage system that will drain
12 through an oil/water separator prior to
13 water being discharged to a lined
14 sedimentation basin. Then, after those three
15 means of cleansing, the water will be
16 discharged into the ground to infiltration.

17 The new driveway configuration actually
18 does help us avoid the wellhead protection
19 area that did encroach onto the property and
20 that northeast corner of the site. So that
21 is another advantage of realigning the
22 driveways.

23 We also committed to administering a
24 salt minimization and usage following the
25 Minnesota's Snow and Ice Control Handbook.

1 So, with that, we would entertain any
2 comments or questions.

3 ACTING CHAIRPERSON JOHNSON: How did the
4 snow and ice mitigation work last winter?

5 MR. BOISVERT: So, the salt minimization
6 plan?

7 ACTING CHAIRPERSON JOHNSON: Right, on the
8 first Amazon project.

9 MR. BOISVERT: I am not aware of any
10 issues with the salt minimization program. I am
11 aware that after one incident of snow
12 stockpiling in the stormwater management
13 facilities - but that was corrected after the
14 vendor was informed of the proper location of
15 where the stockpiling should go. It was a
16 one-time incident and was an accident.

17 ACTING CHAIRPERSON JOHNSON: Is there
18 someone that is responsible for that salt
19 minimization and is also in contact with the
20 Town to make sure that if someone thinks that
21 maybe it's not being done properly they can be
22 contacted?

23 MR. BOISVERT: Sure, there will be a
24 general manager on this facility that will have
25 a direct contact with the appropriate official

1 of the Town.

2 ACTING CHAIRPERSON JOHNSON: And they will
3 have that book on salt minimization and all the
4 steps he needs to take to make sure that they
5 are following it.

6 MR. BOISVERT: Correct.

7 ACTING CHAIRPERSON JOHNSON: One thing
8 that was mentioned in the comments from one of
9 the local residents about your response to the
10 comments was a meeting with the public. I
11 mentioned to you probably in early May to
12 arrange for meeting with the local residents
13 and I don't think I have seen anything that
14 says that has happened. It should happen now
15 because we were talking about the color of the
16 noise wall and it seems like that should be
17 something that the residents should have some
18 input in - if they want a light brown, or gray,
19 or green, or whatever and maybe have that
20 addressed and resolved with the public.

21 MR. BOISVERT: I do know that the
22 applicant did reach out to one individual and
23 was not interested in meeting. I know there
24 were some email communications with the
25 Birchwood Association neighborhood. I am not

1 aware of any meeting that was held, but there
2 was definitely communication through email with
3 the applicant. We can certainly -

4 ACTING CHAIRPERSON JOHNSON: Maybe we need
5 some documentation of what was said and
6 responses so we can say there was an attempt
7 made after I asked that you did it and you
8 didn't get enough response to actually make it
9 happen, or maybe you didn't do enough to say
10 that you actually were going to set up a
11 meeting. I don't know where the parking lot of
12 Amazon one is but maybe that would be the
13 place to do it because you can look at the
14 noise while there and all the people can
15 separate and keep apart as much as they are
16 comfortable with - mutual territory also. Give
17 us some responses and let us know what you
18 attempted to do and we will see if maybe we
19 need to come up with something just to come up
20 with the color of the noise wall.

21 MR. BOISVERT: Sure, very good.

22 ACTING CHAIRPERSON JOHNSON: Thank you.

23 Stephanie, did you have something?

24 She wanted to make on the landscaping?

25 MS. LEONARD: Just in general, there were

1 probably five or six varieties that if this was
2 handed over to a landscape company to install
3 they wouldn't be able to get the varieties in
4 our area. There would need to be some changes
5 as far as yes, we can get this, but not that.

6 I was confused on the master design.
7 Along the border wall - I don't understand
8 the start of it - why there is rhododendron
9 and viburnum mixed in with the evergreens,
10 but it's only at the beginning. It doesn't
11 kind of transition through. You kind of lose
12 them. So, those were just in the beginning.
13 So, I didn't really like the aesthetics of
14 that and rhododendron and viburnum were not
15 going to fare well on the wood side of the
16 wall.

17 On the east corner there are 10 plans
18 listed, but only 6 are labeled and they are
19 all the same but I know they're not all
20 white oaks. There's just some - if this was
21 handed over to me being a landscaper, I
22 would have a litany of questions and
23 concerns and want to change some things
24 around.

25 I have a hard time finding a lot of the

1 perennials. Believe it or not, I loved the
2 perennials that you chose but I don't think
3 they use enough of them in conjunction with
4 - you have well over 1,100 plants, but you
5 only used other than the flocks - 250 of the
6 flocks -- everything else is 10, 10 and 9. I
7 think that should be changed a little bit.

8 For me in the parking lot areas and the
9 welcoming zones, I think you should
10 incorporate hydrangea and I think you should
11 incorporate a lot more color. I think it
12 should be a little bit more of a residential
13 and welcoming feel. On the barrier side most
14 of these evergreens are going to be sparse
15 at best. Deer are going to eat a majority of
16 these even though they are highly rated
17 against deer. In the winter they're going to
18 get eaten alive. We need to come up with a
19 plan as to what we are going to be able to
20 do with that because as a landscaper, again,
21 we are deemed for a warrantee on this stuff
22 and we're kind of setting landscapers up for
23 failure and also the residents of the
24 Birchwood Association and the Birchwood
25 area. They're not going to fare well. I

1 think just maybe more of a conversation of
2 what we could tweak a little bit - what
3 would work best to give the best block for
4 the residents to ensure the noise stays low,
5 the sizes - 7 to 8 foot trees - that is
6 standard. Maybe we could go a little bit
7 bigger. Maybe not for everything, but for
8 some I definitely thought you were more than
9 generous on the size of the deciduous trees.
10 I loved most of the deciduous trees that you
11 chose.

12 One I would probably not plant just
13 because it is a Zone 5 and that's the only
14 one that you did choose - that is just way
15 too close for me. I wouldn't feel
16 comfortable with that and that's the Valley
17 Forge Elm. So, when I plan, I plan for four
18 or 4 1/2. Five is tricky.

19 For me, a little more color, building
20 side, again, aesthetics. I like Hesperia I
21 like daylily. I like hydrangea. I like highs
22 and lows mixing and boxwoods. So, maybe we
23 can talk a little bit about that again to
24 make the building a little bit more bright
25 and cheery with a little bit more of a

1 residential look and then on the wall side
2 putting our brains together to come up with
3 what would be really, really good for
4 residents for the noise and finding stuff
5 that is just a little bit more highly rated
6 against deer and coming up with something.

7 ACTING CHAIRPERSON JOHNSON: Can you get
8 in contact with Nadine to set that up?

9 MS. LEONARD: Sure, I would be more than
10 happy to.

11 MS. BAKNER: Also, just to clarify - the
12 landscaping - none of that is designed for
13 noise reduction, just so you know. It covers
14 the wall entirely. So, you don't have to worry
15 about that in terms of what you are
16 recommending.

17 MS. LEONARD: Very good. Obviously, the
18 color of the wall like you had said with the
19 plants - I think are huge.

20 ACTING CHAIRPERSON JOHNSON: Maybe you can
21 let them know what colors they can't choose.
22 They have a better chance of choosing what you
23 would be happy with.

24 MS. LEONARD: I would be happy to do that.

25 ACTING CHAIRPERSON JOHNSON: You don't

1 want black, right.

2 MS. LEONARD: No, I will stay clear of
3 that.

4 MR. LAVOIE: I don't know - was there any
5 objection to the color that was picked for
6 AOB1? It was kind of a neutral color.

7 MS. LEONARD: A creamy beige.

8 ACTING CHAIRPERSON JOHNSON: To me it
9 looks white.

10 MS. FUDA: It's creamy.

11 ACTING CHAIRPERSON JOHNSON: I go by what
12 I can see while driving down the road. When
13 Rich asked me what I thought we should be
14 looking at, I was saying something like a light
15 brown pebble and it's not a light brown pebble.
16 I don't know who chose the final color.

17 MR. LAVOIE: It's in the eye of the
18 beholder, I guess.

19 MR. LABERGE: You can't satisfy everyone
20 with color.

21 ACTING CHAIRPERSON JOHNSON: I don't
22 object to it. It seems like it's working. It is
23 bright, but it is a noise wall and it is sort
24 of hiding from most of the public. They see it
25 as they drive, but it doesn't affect them. It

1 affects the neighbors behind it. I have heard
2 that it is doing its job. I'm happy with that.
3 I would just like to see something similar on
4 the next project.

5 MS. LEONARD: If I could just give you a
6 for instance of what I'm talking about -
7 locally, if you wanted to take a drive by
8 something that I think is totally eye-catching
9 and very similar to this layout - would be
10 FedEx building. I say that because I did not do
11 that. I'm not going to toot my own horn here,
12 but if you look down Route 4 to the FedEx
13 building that runs along I90 you will see a lot
14 of the parking lot islands are very similar to
15 this, but up against the building is very soft
16 and very welcoming and very colorful but also
17 again mindful of salt and will tolerate the
18 salt and all kind of stuff. That would be
19 something that I would be looking for.

20 MR. BOISVERT: I believe the one in East
21 Greenbush you are referring to - that is a
22 Scannell project.

23 MS. LEONARD: Well, you should be able to
24 reference that. Whoever did that landscaping
25 design did a very good job.

1 ACTING CHAIRPERSON JOHNSON: Do you have
2 anything else, Rich.

3 MR. LABERGE: No. I need to go through the
4 myriad of materials that was put together. I
5 don't have anything else to add at this point.

6 ACTING CHAIRPERSON JOHNSON: I guess the
7 next issue would be trying to set up a meeting
8 for July 12th. Nadine is talking about - it's a
9 night of the Zoning Board Meeting, so we're
10 going to have to try to work around that.

11 MS. FUDA: Right, so it would have to be
12 before the Zoning Board because we cannot oust
13 them on their own meeting night. It would have
14 to be 5:30 or 5:00 because I want to give
15 enough time for separation. I don't think 6:00
16 - I think that's cutting it too close. 5:00 or
17 5:30 would be plenty of time for us to meet, if
18 everyone could meet them. I would have to
19 notice it. That's the other issue. Which I can
20 get it noticed.

21 ACTING CHAIRPERSON JOHNSON: Are there any
22 Members that would have any problem with being
23 here on July 12th at 5:30?

24 (There was no response.)

25 We've got to check calendars.

1 MS. LEONARD: I'm good. Is that 5:30 to
2 7:30?

3 MS. FUDA: 5:30 to 6:30 or 5:00 to 6:30. I
4 think we'll need more than an hour.

5 MR. LABERGE: I would recommend starting
6 early because you never know.

7 MS. FUDA: Okay, then we will notice it
8 for 5:00.

9 MR. LABERGE: I'm not dictating to the
10 Board.

11 ACTING CHAIRPERSON JOHNSON: You need to
12 be here.

13 MR. LABERGE: I can be here.

14 MS. FUDA: Attorney and Engineer are both
15 good, Stephanie is good, Wayne is good, John is
16 good and Andy.

17 Okay we need a Resolution

18 MR. LABERGE: What is the Resolution going
19 to say.

20 MS. FUDA: You need a motion and a second
21 to hold a special meeting on July 12th starting
22 at 5:00 p.m. for Scannell Properties.

23 MR. LAVOIE: So moved.

24 MS. FUDA: John moved.

25 MS. LEONARD: I'll second.

1 ACTING CHAIRPERSON JOHNSON: All in favor?

2 (Ayes were recited.)

3 Opposed?

4 (There were none opposed.)

5 Okay, we're going to meet at 5:00.

6 MR. BOISVERT: Right here?

7 MS. FUDA: Right here at 5:00.

8 MR. BOISVERT: Okay, thank you.

9 ACTING CHAIRPERSON JOHNSON: Any other
10 issues for anyone on the Scannell group?

11 MS. FUDA: That's it.

12 (Whereas the above entitled proceeding
13 was concluded at 8:16 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