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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

CORE BUILDING MATERIALS
117 KARNER ROAD
FINAL SITE PLAN REVIEW

THE STENOGRAPHIC MINUTES of the above entitled matter
by NANCY L. STRANG, a Shorthand Reporter commencing on
June 2, 2020 at 7:00 p.m. held via Zoom Video
Conference

BOARD MEMBERS:
PETER STUTO, CHAIRMAN
CRAIG SHAMLIAN
SUSAN MILSTEIN
CHIP ASHWORTH
LOU MION
PAUL ROSANO
STEVEN HEIDER

ALSO PRESENT:

Sean M. Maguire, AICP CEcD, Director, Planning and
Economic Development
Kathleen Marinelli, Esq., Counsel to the Planning
Board
Michael Tengeler, Planning and Economic Development
Department
Helen Rosano, Colonie Conservation Council
Christopher Longo, Empire Engineering
Joseph Grasso, RLA, CHA

1 CHAIRMAN STUTO: Welcome to the Town of Colonie
2 Planning Board. The meeting is called to order. We hope
3 everyone on this Zoom meeting is healthy and safe.

4 I will note for the record that all seven
5 Board Members are here in attendance.

6 Next on the agenda is a report from the
7 Director of Planning and Economic Development, Sean
8 Maguire.

9 MR. MAGUIRE: Good evening, everybody. Thanks
10 for joining us yet again for another Zoom session.
11 There's no word yet as to when we will get back to
12 in-person meetings, but now the staff is back to the
13 office daily and we are getting back to hard-copies. So,
14 I believe that the next meeting - and I will look for
15 Zach's nod - will have hard-copy packages ready for you
16 instead of the online packages. I hope that will make
17 reviews a little more efficient on your end and I think
18 that's about it.

19 Zach, is there anything else that you want to
20 make people aware of?

21 MR. HARRISON: No. The site drawings will be 11
22 x 17 for you guys. Is that okay?

23 CHAIRMAN STUTO: It is for me. I think a lot of
24 people prefer that size.

25 MR. ASHWORTH: Has a state of emergency been

1 talked about yet?

2 MR. MAGUIRE: No, I haven't heard about
3 anything with regard to one. Do you mean the current
4 emergency order?

5 MR. ASHWORTH: Yes, for the Town of Colonie.

6 MR. MAGUIRE: There is a curfew in place from 9
7 PM to 6 AM through June 7th. That was yesterday and that
8 was extended today through the Supervisor's Order and
9 posted.

10 CHAIRMAN STUTO: Okay, anything else?

11 MR. MAGUIRE: That's all I've got tonight.

12 CHAIRMAN STUTO: Okay, onto regular business.
13 We have one plan that's up for final plan review. It is
14 117 Karner Road, Core Building Materials. The proposal
15 is for the expansion of a building supply yard with this
16 Phase I including construction of 12,000 square-foot
17 metal framed building for additional storage warehouse
18 space. The site is zoned industrial and it will be
19 reviewed by our Town Designated Engineer, CHA Companies.
20 We will hear now from the applicant.

21 My understanding is that Chris Longo is here
22 for the applicant. He's from Empire Engineering.

23 MR. LONGO: Good evening, Planning Chairman,
24 again. Christopher Longo here representing the applicant
25 and property owner Core Building Materials.

1 So, we have been to this Board a couple of
2 times; most recently back in October for the concept
3 approval. Since then, we've had a little bit of
4 back-and-forth. We've tried to flush out any and all
5 issues that hopefully could arise through this
6 process. As it currently stands. The few things that
7 have happened since the Board last sauce in October -
8 - I'm sorry, would anybody like me to give a quick
9 review of the site and where the project is? Or, is
10 everyone familiar with the concept plan that we have
11 presented?

12 CHAIRMAN STUTO: Can you do it very briefly for
13 the record?

14 MR. LONGO: Yes. So, 117 Karner Road on Route
15 155 - Core Building Materials is the existing property
16 owner. They operate -- they are predominantly a drywall
17 business out of this location. I believe it was GAR
18 Materials prior to that. They're looking to expand a
19 little bit. Dan put up a new structure -

20 CHAIRMAN STUTO: I'm going to ask Sean if he
21 can put up the site plan.

22 MR. MAGUIRE: Yes.

23 MR. LONGO: The site currently has an office
24 that is out near the road and a lean-to - sort of roof
25 structures and then a larger warehouse building in the

1 rear.

2 The proposal is for an additional warehouse
3 building to the right, or to the north of the existing
4 facility with some new pavement, gravel and access
5 driveway. So, the proposed structure is 12,000 square
6 feet - warehouse only. So, no public access, no
7 showroom or anything - no office space. Basically it's
8 a materials supply store with racking interior to that
9 structure.

10 So, the last time the Board saw this, there
11 was not a second access to the front. That has come
12 about from the Fire Services review of this project.
13 In order to keep the length of the Fire Department run
14 with their fire hose from a hydrant which is to the
15 right of your screen -- the hydrant is at the corner
16 of the property - to keep that run with the hose to
17 less than 500 feet, we needed to add a driveway.
18 Otherwise, they would've had to get down to the other
19 access points. So, that would have an access gate and
20 Knox Box at that entrance. That will be predominantly
21 closed.

22 I believe that was a comment from the TDE.
23 They would prefer that all the deliveries and access
24 come from the main point where you can see it from the
25 office.

1 Other than that, changes have been made.
2 There was a comment concerning the utilities to the
3 structure. This structure used to be 15,000 square
4 feet, but in order to avoid the need for a sprinkler
5 system, it was reduced to 12,000 and there will be a
6 venting system and additional egress doors to comply
7 with the Building Code there. Also, that obviously
8 removes the need for water service to the structure.

9 There was also discussion about the Building
10 Code requiring any new structure to have a toilet
11 room. There is a provision in the Code for a variance
12 which we have begun the process for - that would
13 remove the need for any toilet room in the structure
14 because there is access to a toilet room within 500
15 lineal feet, which is back at the office building.

16 So, that's pretty much the rundown. There is
17 a rendering also. I think if Sean has that available
18 to pull up.

19 I know there were some comments at the
20 concept meeting to try to dress up the building a
21 little bit. The attempts -- there was the two-tone
22 color scheme and also a contrasting color there for
23 the trim along with some pilaster contrasts as well.

24 There will be a berm with plantings along the
25 frontage, too. I think we had some of that discussion

1 last time in October, as well. The berm will get you
2 almost up to the height - - if you see the darker gray
3 color at the top of the door. So, I'm at 7-plus feet.
4 That berm is about that same height. It will kind of
5 cover up to there and then there are trees and a fence
6 on top of that.

7 CHAIRMAN STUTO: Okay, is that it for your
8 initial comments?

9 MR. LONGO: Yes, so any questions, I'm glad to
10 answer.

11 CHAIRMAN STUTO: I think will get comments from
12 our Town Designated Engineer. That would be CHA, Joe
13 Grasso.

14 Joe, do you want to run through your
15 comments?

16 MR. GRASSO: So, I'm going to flip this back to
17 Chris for a minute just because the type of use that
18 we're looking at is a storage retail facility. Obviously
19 what we are looking at here is the storage building. I
20 want Chris to just speak to the Board and for the record
21 about any outdoor storage you would expect because
22 there's nothing on the plan for equipment lay-down areas
23 or equipment storage outside of the building. So, could
24 you just clarify if everything is going to be enclosed,
25 or if there's going to be anything stored on the site?

1 MR. LONGO: So, right now, you can see the two
2 smaller buildings in the front. They don't actually have
3 walls. So, the intent here is to get a building with
4 walls so that this product can be stored interior to the
5 structure.

6 As far as over on this area where it is
7 proposed, there really isn't any room for other
8 exterior storage. It's pretty much set up just for
9 drive lanes. At this point, I don't know of any other
10 storage exterior to that building. I know that they do
11 have some stuff stored kind of outside behind the
12 office and kind of the southwest of the property.
13 Nothing is proposed for any specific outdoor storage,
14 no.

15 MR. GRASSO: Okay, because there is a lot of
16 clearing that took place to the northeast of the
17 proposed building in the gravel area. There are some
18 areas there that are proposed for stormwater management
19 and I think you have a grass filter strip there. There
20 is no storage that's going to take place - - I just
21 wanted to bring to the Board's attention that we do have
22 a residential neighbor both to the northeast, behind the
23 property, as well as some residential properties across
24 Karner Road and that was a concern that we had raised
25 during sketch plan and concept plan review. I think the

1 site plan has been designed to try to mitigate those
2 impacts and I just want to make sure that those
3 residences are still taken into consideration when the
4 Board reviews this.

5 Just going through our comments, we don't
6 have much. We have gone through this project review a
7 couple of times. We are in favor of the variance that
8 the applicant is seeking from the New York State
9 Building Code. We do feel like there is appropriate
10 accommodations for public restrooms on the site and we
11 always knew it was the applicant's intent to not have
12 to put those in a building, so it could really be used
13 for storage which we think is in keeping with the
14 applicant's intent and less intense use of the site.

15 We are aware of Emergency Services wanting
16 the second curb-cut primarily for increased access to
17 a hydrant down on that end. I would like to see a note
18 on the plans clarifying that is an emergency access
19 only entrance with signage to make sure that gate is
20 always closed. That's primarily because we are not
21 trying to encourage more traffic to that end of the
22 site again because there are residential neighbors
23 across the street. So, that would lessen those
24 impacts. We had always thought there should be
25 buffering along Karner Road which Chris has done a

1 good job of incorporating into the plan. He talked
2 about the berm. He talked about additional
3 landscaping, which you can see on the plan here.

4 Obviously the emergency access curb-cut cuts
5 into that, so there is some area of more open
6 visibility which we are okay with.

7 In terms of the landscaping, Chris, when we
8 talk about evergreen trees, you've got accommodations
9 of spruces and pines. We like to see those noted in
10 terms of minimum height at the time of planting as
11 opposed to minimum caliper. I think you've got 1 1/2
12 inch minimum caliper trees, but we would like to see a
13 minimum height say 7 to 8 feet on each of those trees.

14 It's a pretty straightforward site plan. We
15 did some minor comments on the stormwater pollution
16 prevention plan. It is subject to a SWPPP, which we
17 have reviewed and those are easy comments for Chris to
18 address.

19 Our last comment review letter dated March
20 10, which is in your packet, is pretty short because
21 there are a couple of minor items. We did include for
22 the Board's consideration a short environmental
23 assessment form Part I of which was prepared by the
24 applicant. He describes the environmental setting of
25 the project and the proposed project impacts. We feel

1 that it is accurate in its assessment.

2 Part II which is the review of the impacts
3 and determination of significance which we have
4 drafted for the Board's consideration and we do not
5 feel that the proposed project will result in a
6 significant impact on the environment. Therefore, if
7 the Board is comfortable with the application and
8 looking to move forward tonight, then the Board can
9 consider issuance of a negative declaration pursuant
10 to SEQRA.

11 That's our review of the project, Pete.

12 CHAIRMAN STUTO: Okay, are there any members of
13 the public looking to talk, Sean?

14 MR. MAGUIRE: Nobody registered and nobody has
15 checked in.

16 CHAIRMAN STUTO: Okay, we will just go down the
17 line.

18 Steve Heider, do you have any questions or
19 comments?

20 MR. HEIDER: No, I am good with it, Mr.
21 Chairman.

22 CHAIRMAN STUTO: Craig Shamlan?

23 MR. SHAMLIAN: I'm good with it.

24 CHAIRMAN STUTO: Susan?

25 MS. MILSTEIN: I'm fine.

1 CHAIRMAN STUTO: Lou?

2 MR. MION: I'm good

3 CHAIRMAN STUTO: Chip?

4 MR. ASHWORTH: I'm not sure which trees are
5 going to be taken out in front. It looks like these four
6 are going to remain. I noticed that there is some
7 deadwood on some of it that ought to be trimmed up since
8 you going to be logging the rest of the property anyway.

9 MR. LONGO: Can you mention again which ones
10 were the ones to remain? I do believe - - are you
11 talking about the front middle? We have added
12 landscaping to that and added a new hedgerow, rather
13 than keeping those few to remain in the center

14 MR. ASHWORTH: Okay. They are very tall ones
15 there - about 40 or 50 feet tall.

16 MR. LONGO: And that's at the center of the
17 site right in front of the building?

18 MR. ASHWORTH: No, actually it's just past the
19 chain-link fence. The chain-link fence is on the south
20 side of the property.

21 MR. LONGO: We have added trees to the south of
22 the second entrance road, if that's the spot you're
23 talking about.

24 The secondary access point - we added a new
25 hedgerow and all the existing trees will be removed

1 from that location.

2 MR. ASHWORTH: All right.

3 MR. LONGO: A prior iteration of the plan had
4 those trees to remain. To your comment, we kind of
5 thought that same thing. Let's actually get rid of all
6 those trees and just establish a new healthy hedgerow.

7 MR. ASHWORTH: Okay, that's fine.

8 CHAIRMAN STUTO: Anything else, Chip?

9 MR. ASHWORTH: That's it.

10 CHAIRMAN STUTO: Paul Rosano?

11 MR. ROSANO: Just a couple of things, Peter.

12 Can you pull the site plan up again, Sean? I
13 wasn't on the Board back in October. Where's the
14 location of the dumpster on this property?

15 MR. LONGO: I believe it's in the back corner
16 behind the office building. There wouldn't be a new
17 dumpster proposed for this building.

18 MR. ROSANO: As far as the plantings are
19 concerned, you use the magic word - a pine tree. Can you
20 be more specific because this area has an issue with
21 light pines. They don't last. There is an issue with
22 some evasive species. So, could you be a little bit more
23 specific? Are you cultivar with the pines right at this
24 moment, or is that flexible.

25 MR. LONGO: It is flexible. We were suggesting

1 a mixture. I think there was a comment made last year as
2 well to not have one species. So, we have a mixture of
3 the Red Spruce and White Pines and the Blue Spruce. As
4 you see the different block styles there - - that would
5 be the Red Spruce in front and the black is the Blue
6 Spruce and every other one the White Pine.

7 MR. ROSANO: I have the Chair of the CAC
8 sitting next to me. It happens to be my wife.

9 We are not going to be in favor of the White
10 Pine's - the CAC is not going to be in favor of the
11 White Pine's under any condition. I would suggest that
12 you go back and relook at a White Fir or something
13 along those lines - maybe a Hemlock tree? White Pines
14 definitely for this area - - we both belong to PRISM.
15 It's not a good idea. We're in a different growing
16 zone at this point in time. They're just not going to
17 last. You don't want to be going through 5 or 10 years
18 from now having to cut them down.

19 MR. GRASSO: Paul, this is Joe. I would
20 recommend that we switch to a White Fir then. They don't
21 self-prune, so they would keep the branches down at the
22 bottom and they are still a native tree.

23 MR. ROSANO: Yes, I totally agree with that,
24 Joe.

25 MR. LONGO: That's not a problem. We will

1 switch to White Fir instead of pine. There are no issues
2 with the spruces, though, right?

3 MR. ROSANO: No, not at all.

4 CHAIRMAN STUTO: Anything else, Paul?

5 MR. ROSANO: No.

6 MS. ROSANO: I just want to make sure that I'm
7 in attendance.

8 MR. ROSANO: We just have to make sure that
9 Ellen is in attendance for the CAC, Nancy.

10 CHAIRMAN STUTO: So noted for the record.

11 Ellen Rosano is here for CAC.

12 I just have one question and it's nothing
13 major. I saw that there is a Phase II somewhat
14 contemplated. What would that be in general terms?
15 Where the sheds are?

16 MR. LONGO: I guess to the length of this
17 process that has kind of evolved like everything else,
18 at this point everything is going to be internal to the
19 south of this building.

20 Joe Grasso certainly helped us along - and he
21 made some good points as we went through to make sure
22 that all of these conditions that we are asking for
23 your approval - will hold true and don't depend on
24 what happens in the future. So, we have the 35% green
25 space that will remain.

1 The contemplations right now are either
2 whether or not to salvage that office building and may
3 be just build internal to those two kind of lean-to
4 structures, if you will. Or, to build a larger
5 structure kind of in the footprint of the lean-tos and
6 a little bit bigger and then remove the office. So,
7 that's kind of the two contemplations - whether or not
8 that office is salvageable.

9 CHAIRMAN STUTO: Okay, thank you.
10 Anything else from the Board Members?

11 (There was no response.)

12 Joe Grasso, can you briefly walk us through
13 the SEQRA - environmental review?

14 MR. GRASSO: Yes, it is an unlisted action
15 pursuant to SEQRA. So, the applicant had provided a
16 short environmental assessment form with Part I filled
17 out. We did draft Part II which is an impact assessment
18 and out of all of the 11 questions regarding impacts and
19 thresholds, the appropriate answer would be that there
20 would either be no impact or small impact would occur.
21 So, there were no triggers that would require additional
22 investigation or a more exhaustive environmental review.

23 Part III of the EAF has also been drafted
24 which includes the actual determination of
25 significance. The Planning Board is the only involved

1 agency with the site plan approval being required. The
2 Planning Board - it says check this box if you have
3 determined, based on the information and analysis
4 above and any supporting documentation that the
5 proposed action will not result in any significant
6 adverse environmental impacts.

7 We did prepare a draft Resolution, which I
8 will just summarize. It is a Resolution of the Town of
9 Colonie Planning Board for the preparation of a
10 negative declaration.

11 Whereas the applicant has submitted a site
12 plan application to the Town of Colonie Planning
13 Board. It is an unlisted action, pursuant to SEQRA.
14 The Planning Board has reviewed Part I of the short
15 EAF and has had to complete Parts II of the EAF in
16 connection with the review of a significant number of
17 documents as part of the project application.

18 Be it resolved that based on the review by
19 the Planning Board, that there will be no significant
20 adverse environmental impacts and that the
21 environmental impact statement not be required.

22 Be it resolved that the attached negative
23 declaration be adopted in accordance with SEQRA. So,
24 that is a draft Resolution for consideration by the
25 Planning Board that you would want to act on before

1 you consider the final site plan approval.

2 CHAIRMAN STUTO: Okay, I will ask the
3 stenographer to put that entire Resolution into the
4 record. Do we have a motion on that Resolution?

5 MR. MION: I will make a motion.

6 MR. ASHWORTH: I'll second it.

7 CHAIRMAN STUTO: Chip seconds it.

8 Any discussion?

9 (There was no response.)

10 All those in favor say aye.

11 (Ayes were recited.)

12 All those opposed, nay.

13 (There were none opposed.)

14 I'll say for the record that there are no
15 negative votes. The ayes have it.

16 Onto the main question before the Board which
17 is for final site plan approval, subject to the
18 conditions set forth on the record by the Board, by
19 the Town departments and by the Town Designated
20 Engineer, do we have a motion?

21 MR. HEIDER: I'll make that motion.

22 CHAIRMAN STUTO: Chief.

23 Do we have a second?

24 MR. MION: Second.

25 CHAIRMAN STUTO: Lou, second.

1 Do we have any discussion?

2 (There was no response.)

3 All those in favor say aye.

4 (Ayes were recited.)

5 All those opposed, nay.

6 (There were none opposed.)

7 The ayes have it. I don't hear any negative
8 votes. So, it appears that Resolution has passed
9 unanimately.

10 Is there any other business before this
11 Board?

12 MR. ROSANO: One second.

13 MS. ROSANO: Can I speak, Pete? This is Ellen.

14 CHAIRMAN STUTO: Sure.

15 MS. ROSANO: I just wanted to thank Chip
16 Ashworth and Susan Milstein because they volunteered to
17 help us with the conservation day last Friday and
18 Saturday morning. It was greatly appreciated. We had a
19 good time and we will be doing the same thing next year.
20 Hopefully, not under these circumstances. It was greatly
21 appreciated and I wanted to thank you both.

22 CHAIRMAN STUTO: Well, the Planning Board
23 appreciates it too, I'm sure. So, thank you.

24 Any other business before this Board?

25 MR. MAGUIRE: Just so the Board knows where we

1 are with meetings moving forward, I think we anticipate
2 June 16 will be our last weekly meeting and we will go
3 back to every other - our regular schedule. We are still
4 meeting remotely until large gatherings are allowed. I
5 assume that the Board will continue to meet at 6:00 p.m.
6 for these?

7 CHAIRMAN STUTO: I like 6:00.

8 MR. MAGUIRE: As long as we are meeting
9 remotely, it will be 6:00 p.m. As we go back to our
10 in-person, we will go back to our regular schedule, as
11 well.

12 MR. MION: So, we will have a meeting next
13 week?

14 MR. MAGUIRE: We have an agenda for next week
15 on the 16th and that will be the last time we meet every
16 week. We will go back to the adopted schedule just with
17 the adjustment to 6:00 p.m. for the remote meeting.

18 CHAIRMAN STUTO: Does anybody have any comment
19 on that?

20 MR. ROSANO: The paperwork will be available at
21 Public Ops for the next meeting?

22 MR. MAGUIRE: Yes, so now that the staff is
23 back full-time every day, we will have hard-copies once
24 again. Starting with the meeting next week, the
25 hard-copies will be available for the Board Members. We

1 will continue to post the copies online to the public.

2 MR. ROSANO: Thank you.

3 CHAIRMAN STUTO: As long as were going Zoom, I
4 don't need hard-copies. I've been doing well with these.

5 Can we take a poll on that?

6 MR. ROSANO: Hard-copy.

7 MR. ASHWORTH: Hard-copy.

8 MR. SHAMLIAN: Electronic.

9 CHAIRMAN STUTO: It's electronic? I'll take
10 electronic. Who else?

11 MS. MILSTEIN: Me.

12 CHAIRMAN STUTO: Susan will take electronic.

13 MS. MARINELLI: Electronic is fine for me,
14 Sean.

15 MR. MAGUIRE: So, hard-copies will go to Paul,
16 Lou, Chip -

17 CHAIRMAN STUTO: Where's Chief Heider?

18 MR. HEIDER: I prefer a hard-copy.

19 MR. MION: Is the meeting at 6:00 or do we have
20 to go to 7:00? I was going to ask you about that.

21 MR. HEIDER: I'd love it to be 6:00.

22 MR. MAGUIRE: I think that it depends on when
23 we go back there.

24 MR. SHAMLIAN: For the summer, quite frankly,
25 my personal preference in the summertime is that I'd

1 rather it be 7:00. That 6 to 7 time is more personally
2 selfish and more playful.

3 MR. HEIDER: We don't want to interfere with
4 that.

5 MR. MAGUIRE: There might be an issue with the
6 public getting there and schedules. I don't know the
7 history on why it's 7:00. We'll look into that and
8 research that.

9 MR. ROSANO: Sean, one part of it is the staff
10 that works at Town Hall at night is only really there
11 until 9:00. So, if we go back to 7 and we have an
12 all-nighter, it could be a problem because you and I and
13 anybody else cannot lock up the building. So, you might
14 want to check with Paula and her group and see if
15 there's an issue if we have one of those long meetings.
16 So, 6:00 might be better than 7:00. I'm not really sure,
17 but I think that we should check with her.

18 MR. MAGUIRE: I will certainly check in on
19 that.

20 MR. ROSANO: I'm pretty sure that John is only
21 there until 9:00. I don't know if two hours, going
22 forward, is going to be enough time.

23 MR. SHAMLIAN: I assume it's going to be awhile
24 before we are back meeting in person, right?

25 MR. ROSANO: I would definitely check with

1 Paula.

2 MS. MARINELLI: The Town Board is there on
3 Thursday.

4 MR. ROSANO: But John is only scheduled there
5 until 9:00 at night.

6 MS. MARINELLI: No, but I'm saying that the
7 Town Board is going to be in the building on Thursday
8 for their meeting.

9 MR. ROSANO: Their meetings - I can tell you by
10 history - usually last about 12 minutes. It's not like
11 us. I just thought I'd throw that out there since we
12 were talking about it.

13 MR. MAGUIRE: We will investigate and get some
14 feedback back to the Board.

15 MS. MILSTEIN: I think that 6:00 is too early,
16 going forward. Maybe 6:30 and not 7:00, but I think that
17 6:00 is too early. That's my opinion.

18 CHAIRMAN STUTO: Okay, we'll keep talking.

19 Anything else?

20 (There was no response.)

21 Have a good night. Thank you. It was good see
22 everybody.

23 (Whereas the above entitled proceeding was
24 concluded at 7:45 p.m.)

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CERTIFICATION

I, NANCY L. STRANG, Shorthand Reporter and
Notary Public in and for the State of New York, hereby
CERTIFY 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.

Dated: _____

NANCY L. STRANG
LEGAL TRANSCRIPTION
2420 TROY SCHENECTADY RD.
NISKAYUNA, NY 12309

