

2 STATE OF NEW YORK : COUNTY OF ULSTER

3 TOWN OF MARLBOROUGH ZONING BOARD

-----X

4 In the Matter of

5 KEEBOMED, INC.

6 Route 9W

7 Milton, New York 12547

8 S.B.L #103.3.-1-17.110

9 -----X

10 WORKSHOP MEETING CONCERNING AN AREA SETBACK  
VARIANCE REQUEST.

11 DATE: July 14, 2022

12 TIME: 6:00 P.M.

13 PLACE: Town of Marlborough

Town Hall

14 #21 Milton Turnpike

Milton, New York 12547

15 BOARD MEMBERS:

16 WILLIAM GIAMETTA, CHAIRMAN

JEFF MEKEEL

17 LENNY CONN

GEORGE SALINOVICH, absent

18 ANDREW NIKOLA

19 ALSO PRESENT:

20 Brooks & Brooks Engineering,  
Patricia P. Brooks, Land Surveyor

21

22 Jen Flynn, Zoning Board  
Secretary

23 -----X

24 LISA MARIE ROSSO  
140 Mahoney Road  
Milton, New York 12547

25 (845) 674-3937

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1 KEEBOMED, INC. - PUBLIC HEARING

2 CHAIRMAN GIAMETTA: Good evening,

3 and welcome to the July 14th meeting of

4 the Town of Marlborough Zoning Board of

5 Appeals. We'll start with the pledge

6 to the flag.

7 (Pledge of Allegiance)

8 CHAIRMAN GIAMETTA: Thank you very

9 much. We do have additional audio this

10       evening, which is new to our board, and  
11       we welcome it. And also we have Ms.  
12       Flynn filling in for Ms. Cashman this  
13       evening. She is on vacation. Welcome.

14       MS. FLYNN: Thank you.

15       CHAIRMAN GIAMETTA: We have  
16       minutes from the last meeting, and is  
17       there any additional changes needed to  
18       that?

19       (No audible response)

20       CHAIRMAN GIAMETTA: I ask for a  
21       motion to approve the minutes of the  
22       previous meeting.

23       MR. MEKEEL: I will make a motion  
24       that we approve the minutes from the  
25       last meeting.

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1       KEEBOMED, INC. - PUBLIC HEARING

2       CHAIRMAN GIAMETTA: Second?

3       MR. CONN: Yes.

4       CHAIRMAN GIAMETTA: All in favor?

5       MR. MEKEEL: Aye.

6       MR. NIKOLA: Aye.

7       MR. CONN: Aye.

8       CHAIRMAN GIAMETTA: Minutes  
9       approved. Thank you very much.

10       We have a public hearing this  
11       evening based on the legal notice that  
12       was published. It's required to read  
13       that legal notice. Mr. Mekeel, would  
14       you?

15       MR. MEKEEL: Please take notice  
16       that a public hearing will be held by  
17       the Town of Marlborough Zoning Board of  
18       Appeals at the Town Hall, #21 Milton  
19       Turnpike, Milton, New York on July 14,  
20       2022 at 6:00 P.M. or soon thereafter as

21 may be heard. Keebomed, Inc. is  
22 seeking relief from the Town of  
23 Marlborough Code 155, Attachment 2,  
24 Schedule 1, by way of 25 feet rear yard  
25 area variance. Additionally, relief is

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1 KEEBOMED, INC. - PUBLIC HEARING  
2 sought from Code 155-27 B4 requiring  
3 access to be no closer to the  
4 intersection of any two street lot  
5 lines than 500 feet. Location is Route  
6 9W, tax parcel is Section 103.3, block  
7 1, lot 17.110, it's an HD Zone. Any  
8 interested parties either for or  
9 against this application will have the  
10 opportunity to be heard at this time.

11 William Giometta, Chairman, Town of  
12 Marlborough Zoning Board of Appeals.

13 CHAIRMAN GIAMETTA: Thank you very  
14 much. Being that a legal meeting is in  
15 place, notices have been sent out. How  
16 many were sent and returned?

17 MS. BROOKS: Twenty-four were  
18 sent. They were all mailed on  
19 July 1st. I'm not exactly -- I didn't  
20 check how many because some of these --  
21 we have tracking slips on every single  
22 one of them.

23 CHAIRMAN GIAMETTA: Do you?

24 MS. BROOKS: Yes.

25 CHAIRMAN GIAMETTA: Would you

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1 KEEBOMED, INC. - PUBLIC HEARING  
2 submit those to the secretary of the  
3 evening?

4 MS. BROOKS: Yes.  
5 CHAIRMAN GIAMETTA: Thank you.  
6 And at this time, we'd like a brief  
7 explanation recap of what your  
8 intentions are.

9 MS. BROOKS: Absolutely.  
10 Owner/applicant Keebomed, Inc. is  
11 proposing to construct a 200 foot by 40  
12 foot building at the intersection of  
13 Route 9W and Old Indian Road. The  
14 building will be used for storage,  
15 packaging, and shipping of veterinary  
16 supplies and have their office there as  
17 well. We're seeking an area variance  
18 because this is a unique piece of  
19 property that is surrounded on three  
20 sides by a roadway. The elevation  
21 gained from Route 9W up to Cubbard  
22 Drive is anywhere between 30 and 40  
23 feet in elevation. The proposed  
24 building will be put on the site  
25 plateau, which will meet the rear yard

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1 KEEBOMED, INC. - PUBLIC HEARING  
2 setback against Cubbard Drive for half  
3 of the building, but the northerly half  
4 of the building will get as close as 50  
5 feet to the property line. So we're  
6 seeking a rear yard setback variance.  
7 Also, there is a provision in the code  
8 saying that a driveway should not  
9 access any closer than 500 feet to a  
10 road intersection. That's impossible  
11 for this property since it only has  
12 about 150 feet of road frontage, so it  
13 would be impossible to meet that  
14 requirement. So, the code enforcement

15       officer recommended that we seek an  
16       area variance for that as well.  
17       CHAIRMAN GIAMETTA: Thank you very  
18       much. Does everyone understand the  
19       presentation, or would you like further  
20       explanations of it?

21       MR. MEKEEL: No.

22       MR. NIKOLA: No.

23       MR. CONN: I'm good.

24       CHAIRMAN GIAMETTA: Okay. Board  
25       members, any additional comments or

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1       KEEBOMED, INC. - PUBLIC HEARING

2       concerns at this time?

3       MR. CONN: No.

4       CHAIRMAN GIAMETTA: Hearing none,  
5       I open the public hearing portion of  
6       this meeting to the public. If you  
7       wish to speak either for or against the  
8       project, please stand and state your  
9       name.

10       MR. HEILWEIL: My name is Richard  
11       Heilwell. I live on 20 Cubbard Drive,  
12       and the setback, I am not sure about.  
13       I have to see where it's going to sit  
14       on, but Cubbard is a residential dead  
15       end street, and I haven't heard where  
16       you're proposing the entrance to the  
17       building, but that's the biggest  
18       concern that I have. I can't speak for  
19       everyone here, but my concern is any  
20       kind of entrance other than 9W  
21       shouldn't be even considered. It's  
22       turning off of 9W, so coming down Old  
23       Indian Road, it's typical to have five,  
24       six cars lined up during the busy hour.  
25       So, now the people are going to be

1       KEEBOMED, INC. - PUBLIC HEARING  
2       coming in wanting to turn left onto the  
3       entrance, you have people on 9W,  
4       backing up waiting for it. It's enough  
5       accidents already. I don't think we  
6       need any more accidents. 9W is the  
7       perfect entrance for a commercial  
8       property, not Old Indian or Cubbard.

9            CHAIRMAN GIAMETTA: Your primary  
10       concern is the location of the access?

11            MR. HEILWEIL: Absolutely.

12            CHAIRMAN GIAMETTA: Thank you very  
13       much.

14            MR. SMERDON: Don Smerdon. All  
15       four of us live on Cubbard.

16            MR. CONN: David Conn.

17            MR. SCHREIBER: David Schreiber.

18       Are these deliveries of medicine going  
19       to be by tractor trailers? I mean, how  
20       large are trucks going to be servicing  
21       this facility?

22            MS. BROOKS: Again, I'm not -- I'm  
23       happy to answer these questions.

24       They're not related to the area  
25       variance, if the board is okay with me

1       KEEBOMED, INC. - PUBLIC HEARING  
2       answering.

3            MR. CONN: These are answers --  
4       these are -- you're asking questions  
5       that we don't really know the answers  
6       to or have control over.

7            AUDIENCE: Why did you send us the  
8       letter?

9           MR. CONN: Because they need a  
10          variance for the rear yard.  
11          MR. HEILWEIL: The rear yard and  
12          the 500-foot variance for the entrance  
13          is listed on this letter.  
14          MR. NIKOLA: Because it's two  
15          intersections of the road, so it's not  
16          where the actual entrance for Keebomed  
17          is going to be. That is the  
18          intersection for code that most places  
19          cannot meet. The other one is the  
20          building, if you look on the map, the  
21          northern part of it, we need to approve  
22          a variance for, it's not meeting the  
23          75-foot rear setback. We can't dictate  
24          this board as to where an entrance  
25          goes, that is a planning board issue.

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1          KEEBOMED, INC. - PUBLIC HEARING  
2          MR. HEILWEIL: So are we going to  
3          have the opportunity to be involved?  
4          MR. NIKOLA: They are public  
5          meetings.  
6          MR. HEILWEIL: Just so you know,  
7          this letter came two days ago to me.  
8          MS. BROOKS: I have the receipt  
9          from the post office. They were mailed  
10         July 1st.  
11         MR. SMERDON: Don Smerdon. Why  
12         can't you just add another 25 feet and  
13         turn the building a little bit?  
14         MS. BROOKS: Again, as I  
15         explained, we have to have certain  
16         separation distance from the building  
17         to the parking lot according to the  
18         zoning code, and we only have a certain  
19         area of plateau here. So without doing

20 substantial additional filling into the  
21 right of way, this is how the building  
22 fits in there. We more than exceeded  
23 the south end. We need it in the  
24 middle, so it's just a small area of  
25 the building that needs an area

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1 KEEBOMED, INC. - PUBLIC HEARING  
2 variance. It is substantially lower  
3 than Cubbard Drive, of course, as you  
4 know, and we are proposing substantial  
5 landscaping along Cubbard Drive to  
6 protect that new shed.

7 MR. HEILWEIL: Rich Heilweil. I'm  
8 of the opinion that they did a lot of  
9 work already to the lot, right,  
10 leveling it, clearing it, and making  
11 that plateau to where it is. They  
12 can -- if they're denied variance,  
13 they're going to extend that plateau  
14 further and move the building. It can  
15 be done. It's not that it can't be  
16 done and it should be done, because  
17 that's not appropriate to have it that  
18 close to a residential street. It just  
19 doesn't belong there, that is for the  
20 building.

21 MR. CONN: But the variance is  
22 only 25 feet. So, the building is an  
23 allowed use there, and what your  
24 biggest question is, and I totally  
25 understand, is where the entrance goes

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1 KEEBOMED, INC. - PUBLIC HEARING  
2 for safety and egress and ingress

3 reasons and we understand that.  
4 Unfortunately, we don't have any  
5 control over that. That's a site plan  
6 for planning board to oversee and  
7 decide. So, what you're saying is --  
8 is that yes, the applicant can probably  
9 go to so much more expense to take out,  
10 excavate, or add to the front and the  
11 building would still be there.

12 MR. HEILWEIL: Yeah.

13 MR. CONN: That doesn't solve your  
14 problem of the ingress and egress of  
15 the entrance.

16 MR. HEILWEIL: Correct. I have a  
17 first and second issue. So the first  
18 is the -- the primary issue is the  
19 entrance, and I heard what you said as  
20 well, the state won't let you do a curb  
21 cut. Well, the town won't let you do  
22 an entrance there because it's not  
23 within a 500-foot requirement. Then  
24 what are they going to do; back to  
25 state appeal?

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1 KEEBOMED, INC. - PUBLIC HEARING

2 MS. BROOKS: No, they will go more  
3 than 500 feet down from the drive.

4 MR. HEILWEIL: Why would any board  
5 member approve a commercial entrance  
6 on a dead end street?

7 MS. BROOKS: Again, this lot is a  
8 preexisting approved lot in a  
9 commercial zone. So, yes, they would  
10 have to.

11 MR. HEILWEIL: With access from  
12 9W.

13 MS. BROOKS: No, it was never an

14 access to 9W.  
15 MR. CONN: That lot did not. The  
16 lot next door to it did.  
17 MR. NIKOLA: You could see it on  
18 the map.  
19 MR. HEILWEIL: Who allows an  
20 entrance on a town road that's a  
21 residential road with -- it's a dead  
22 end street. Who would approve that?  
23 Is that this board or a different  
24 board?  
25 MR. CONN: It's not this board.

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1 KEEBOMED, INC. - PUBLIC HEARING  
2 MS. BROOKS: That is why we're  
3 seeking a variance to that 500 feet  
4 because it does not make sense to put  
5 it 500 feet down a dead end road.  
6 MR. HEILWEIL: I would take  
7 serious issue with that. Did anybody  
8 do an impact study on any of this,  
9 traffic?  
10 MS. BROOKS: Again, we're before  
11 the Zoning Board of Appeals this  
12 evening for two area variances. We  
13 don't get involved in that level of it  
14 until we get before the planning board.  
15 The planning board will make a  
16 determination on whether or not they  
17 believe a traffic impact analysis would  
18 be required. I would intend that based  
19 on the amount of traffic that is going  
20 to be in and out of here, that will not  
21 warrant a traffic study because of the  
22 criteria --  
23 MR. HEILWEIL: I think you might  
24 want to consider the type of vehicles

25 coming in and out. The vehicles are

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1 KEEBOMED, INC. - PUBLIC HEARING

2 large vehicles. I think it absolutely

3 warrants a traffic impact study.

4 Enough people get killed on these

5 intersections all the time.

6 MR. CONN: Mr. Heilweil, please

7 understand that what Ms. Brooks is

8 telling you, 95 to 99 percent of the

9 questions and concerns that you all

10 have, we totally understand, but that's

11 a planning board issue and we

12 understand. We're entertaining your

13 concerns, but the only thing that we're

14 here for is the 25-foot variance.

15 MR. HEILWEIL: Fair enough.

16 MR. CONN: And the entrance

17 possibly.

18 DAVID CONN: David Conn. So, but

19 Lenny, you just said a minute ago it's

20 only 25 feet. Well, to us it's

21 important, 25 feet is 25 feet. You

22 take 25 and then the second lot you do

23 something up by my house. So we're

24 here, there is four houses, we see

25 enough reasons, and I think Don said in

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2 the beginning, when you come out of

3 Cubbard Drive and make a left, okay,

4 especially at this time of night, you

5 got to gun it because people are coming

6 down really quickly. There is people

7 at the Ship Lantern Inn stopping their

8 cars right there and getting their mail  
9 right there. There is people coming up  
10 directly off of 9W. This might not be  
11 in your purview, but you're going to  
12 have some input. You must talk to  
13 somebody to give them guidance after  
14 you have this meeting, but it doesn't  
15 make sense.

16 MR. SMERDON: Don Smerdon. I  
17 think the corner of the building is so  
18 close to Cubbard Drive, we're going to  
19 probably see lighting and everything  
20 else with this building coming that  
21 close to Cubbard Drive. We're talking  
22 about the 25-foot variance, all right,  
23 I think it's going to start to change  
24 the character of our neighborhood, and  
25 I, you know, I think they ought to be

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1 KEEBOMED, INC. - PUBLIC HEARING  
2 able to push the building, all right,  
3 take away a couple parking spots. With  
4 all of those parking spots, and I know  
5 you're not the planning board, there is  
6 a lot of parking spots. How much  
7 traffic are we going to have for God  
8 sake? How many employees are going to  
9 be there? You guys don't know, okay.

10 MS. BROOKS: There are ten  
11 employees proposed.

12 MR. SMERDON: Ten employees, all  
13 right. So ten employees means there is  
14 quite a bit of stock involved, probably  
15 going to see UPS trucks, FedEx trucks  
16 and everything else.

17 MS. BROOKS: Yes.

18 DAVID CONN: So, they have to have

19 a septic system.  
20 MS. BROOKS: Yes.  
21 DAVID CONN: Where is that going  
22 to be?  
23 MS. BROOKS: The septic is  
24 proposed on the south end of the lot.  
25 MR. SMERDON: I think with the

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1 KEEBOMED, INC. - PUBLIC HEARING  
2 25-foot and lighting coming through the  
3 area it's going to come into Cubbard  
4 Drive. Even with the shrubbery and  
5 everything, it's going to come onto --  
6 it's going to change our neighborhood.  
7 MS. BROOKS: The elevation of the  
8 building is proposed at elevation of  
9 260, and the elevation of Cubbard Drive  
10 above it is at 280, so you're basically  
11 looking over the roof of the building.

12 MR. SMERDON: What type of roof is  
13 it going to be?

14 MS. BROOKS: We haven't gotten to  
15 that stage yet. It will be a peaked  
16 roof. Obviously, it will be here, and  
17 it will be a peak going down. The  
18 ridge will be running north/south  
19 direction.

20 MR. SMERDON: I still say push it  
21 forward, add more dirt on the front,  
22 push it forward 25 feet, you know, that  
23 is my opinion. And I guess we have to  
24 deal with planning board when it comes  
25 down to access.

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1 KEEBOMED, INC. - PUBLIC HEARING

2 CHAIRMAN GIAMETTA: Yes. Ms.  
3 Brooks, if the building was rotated in  
4 a clockwise manner, approximately 25  
5 feet, would that relieve any other  
6 variance concerns besides the access  
7 problem?

8 MS. BROOKS: Well, basically, what  
9 it would require is a substantial  
10 additional amount of filling. Would it  
11 require another variance? If --  
12 potentially, if you move it 25 feet,  
13 then we would need a slight front yard  
14 setback on 9W, and then the parking  
15 would be substantially closer to 9W,  
16 which probably is not safe. And I  
17 don't know that we would be able to get  
18 that grade in there.

19 MR. NIKOLA: So, the way I look at  
20 it is the building requirement right  
21 now, we have 75-foot requirement for  
22 front yard setback, and we're only  
23 proposing 81; correct?

24 MS. BROOKS: Right, that is the  
25 southeast corner.

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1 KEEBOMED, INC. - PUBLIC HEARING  
2 MR. NIKOLA: Beg, borrow, and  
3 steal that 6 feet, you would be moving  
4 6 feet. They're 6 feet within where  
5 they don't need a variance now for the  
6 front yard.

7 AUDIENCE: So, what kind of  
8 variance would we need from 9W?

9 MR. NIKOLA: So, as I just  
10 mentioned, the requirement in the HD  
11 zone, they need a minimum front yard  
12 setback off 9W to be 75, and it

13 currently proposes 81, so they're  
14 meeting that by 6-foot. If we shift  
15 that building forward, which again, is  
16 not in our purview, forward from that  
17 50 foot 25 feet, then we're 19 feet  
18 closer to Route 9W where we could have  
19 another variance needed.

20 MR. MEKEEL: Right.

21 CHAIRMAN GIAMETTA: It would  
22 eliminate the rear one.

23 MR. HEILWEIL: But I beg to  
24 differ. It's not just taking from here  
25 and give it here, who cares, we care.

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1 KEEBOMED, INC. - PUBLIC HEARING

2 MR. NIKOLA: I understand that.

3 MR. HEILWEIL: Do you approve or  
4 disapprove this variance? It's you  
5 guys, the setback?

6 MR. CONN: Correct.

7 CHAIRMAN GIAMETTA: Yes.

8 MR. HEILWEIL: So, it seems like  
9 you're saying what's the difference,  
10 you take from here, you take from  
11 there. We're saying it's a big  
12 difference.

13 MR. CONN: But it seemed to me,  
14 and correct me if I'm wrong, your  
15 biggest concern was the entrance and  
16 the traffic. That will not change no  
17 matter where the building goes. The  
18 building is in an allowed use. That  
19 will be allowed in the town, and  
20 somewhere along the line, the planning  
21 board will approve an entrance, whether  
22 it's Old Indian or Cubbard, because it  
23 cannot be 9W. So somewhere along the

24 line, the planning board will approve  
25 an entrance, because this is an allowed

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1 KEEBOMED, INC. - PUBLIC HEARING  
2 use. So, we're trying to listen to the  
3 concerns of the people. We live in  
4 this town, just like you guys do. But  
5 originally it seems your biggest  
6 concern was the entrance and traffic.  
7 So, now it's like moving the building  
8 19, 20 feet. It doesn't change it.

9 MR. SMERDON: Let me clarify what  
10 I said. I said one was my primary and  
11 one is my secondary. They are mutually  
12 exclusive. They have nothing to do  
13 with each other. I'm just more  
14 concerned about the entrance than I am  
15 with that. That doesn't mean that I am  
16 not concerned about that. I am  
17 concerned about that. I do care about  
18 that.

19 MS. BROOKS: So, back to the  
20 entrance, can I ask a question? Do you  
21 gentlemen think it would be safer to  
22 bring the entrance out onto Old Indian  
23 Road the way we have it right now, or  
24 you see where they're driving in right  
25 now coming right off of Cubbard?

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1 KEEBOMED, INC. - PUBLIC HEARING  
2 MR. SMERDON: Right on the corner.  
3 MS. BROOKS: Which of those two  
4 locations would you think would be more  
5 appropriate? Again, it's a preexisting  
6 lot.

7 (Whereupon, an off-the-record  
8 discussion was held.)  
9  
10 MR. MEKEEL: In addition to what  
11 you're asking, if they do move that  
12 forward 19 or 25 feet, the way the land  
13 is laid out, more than likely he is  
14 going to take the parking and flip flop  
15 it with the parking on Cubbard. So,  
16 instead of seeing bushes and a lawn,  
17 you're going to see ten or 15 cars  
18 parked on your side of the road. So  
19 you're going to have to compromise, you  
20 know, to what we're looking at here,  
21 what the best scenario would be.

22 MS. BROOKS: What we would do is  
23 we would put the building in the front.

24 (Whereupon, an off-the-record  
25 discussion was held.)

26 CHAIRMAN GIAMETTA: Your point is

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1 KEEBOMED, INC. - PUBLIC HEARING  
2 well taken. We can keep the public  
3 hearing open with some changes that  
4 Engineer Brooks could provide and have  
5 a second look at. What you stated is  
6 very relevant, and it would be  
7 considered. But what Ms. Brooks also  
8 stated, do the benefits outweigh the  
9 detriments in this case. So, she's  
10 going to analyze that, and I don't know  
11 if you would consider moving the  
12 building at all, Ms. Brooks, on this?

13 MS. BROOKS: Yeah, I will take a  
14 look at it again. I think we moved it  
15 as much as we possibly can, but I will  
16 consult with the engineer who's doing  
17 the regrading plan and the soil erosion

18 control and see if there is any  
19 tweaking that we can do.  
20 CHAIRMAN GIAMETTA: Perhaps needs  
21 a variance front and rear possibly, I  
22 don't know.  
23 AUDIENCE: Can I ask another  
24 question? Is it possible to excavate  
25 any of this on the southeast corner,

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2 excavate this to bring the building  
3 this way?  
4 MS. BROOKS: Well, again, the  
5 tightness is right here because we have  
6 plenty of room here. We're over 100  
7 feet here.

8 (Whereupon, an off-the-record  
9 discussion was held.)

10 MR. CONN: The next meeting would  
11 be August 11th at 6:00 P.M.

12 MS. BROOKS: I'm going to be away  
13 on vacation, so we're going to have to  
14 push it off to September.

15 CHAIRMAN GIAMETTA: September 8.

16 MR. NIKOLA: That would be our  
17 following meeting, September 8th.

18 MR. SMERDON: If it's going to be  
19 rescheduled, can we ask respectfully if  
20 we can be notified?

21 CHAIRMAN GIAMETTA: Oh,  
22 absolutely. Our office can notify the  
23 homeowners. Ms. Flynn for the next  
24 meeting?

25 MS. FLYNN: If Penny has the

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2 information, yeah.

3 MR. CONN: Let's get their names  
4 and addresses. There might be another  
5 Thursday in August depending on the  
6 availability of the school.

7 CHAIRMAN GIAMETTA: Thank you,  
8 gentlemen. Having heard input from the  
9 public on this hearing, we wish to keep  
10 this meeting open to a future date to  
11 be determined. I believe Ms. Cashman  
12 will have greater input with that date,  
13 coordinating it, and notifying all  
14 involved. That concludes tonight's  
15 business activities. Anything further  
16 from the board?

17 MR. NIKOLA: No.

18 CHAIRMAN GIAMETTA: Motion to  
19 adjourn?

20 MR. NIKOLA: Motion.

21 CHAIRMAN GIAMETTA: Second?

22 MR. MEKEEL: I'll second.

23 CHAIRMAN GIAMETTA: All in favor?

24 MR. MEKEEL: Aye.

25 MR. NIKOLA: Aye.

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2 MR. CONN: Aye.

3 CHAIRMAN GIAMETTA: Meeting is  
4 adjourned.

5 (Whereupon, at 6:42 P.M., the  
6 meeting was adjourned.)

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2 C E R T I F I C A T E

3

4 STATE OF NEW YORK )  
5 : SS.:  
5 COUNTY OF ULSTER )

6

7 I, LISA M. ROSSO, a Notary Public for  
8 and within the State of New York, do hereby  
9 certify:

10 That the witness whose examination is  
11 hereinbefore set forth was duly sworn and  
12 that such examination is a true record of  
13 the testimony given by that witness.

14 I further certify that I am not related  
15 to any of the parties to this action by  
16 blood or by marriage and that I am in no way  
17 interested in the outcome of this matter.

18 IN WITNESS WHEREOF, I have hereunto set  
19 my hand this 10th day of August 2022.

20  
21

22 LISA M. ROSSO

23

24

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