

1 PLANNING BOARD COUNTY OF ALBANY  
2 TOWN OF COLONIE

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5 SHAKER POINTE AT CARONDELET  
6 PLANNED DEVELOPMENT DISTRICT  
7 REVIEW AND ACTION ON FINAL PLANS  
8 \*\*\*\*\*

9 THE TAPED AND TRANSCRIBED MINUTES of the above  
10 entitled proceeding BY NANCY STRANG-VANDEBOGART  
11 commencing on April 20, 2010 at 8:21 p.m. at the  
12 Public Operations Center 347 Old Niskayuna Road,  
13 Latham, New York 12110

14

15 BOARD MEMBERS:

16 CHARLES J. O'ROURKE, CHAIRMAN  
17 MICHAEL SULLIVAN  
18 TOM NARDACCI  
19 ELENA VAIDA  
20 PETER GANNON  
21 PAUL ROSANO  
22 PETER STUTO, Jr. Esq., Attorney for the Planning  
23 Board

24

25 Also present:

26 Joe LaCivita, Director, Planning and Economic  
27 Development

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29 Steve Grifferty, Alchester Development

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31 Paula Mahan, Supervisor  
32 Joe Romano, Clough Harbour and Associates  
33 Sister Mary Anne Rodgers, Sisters of St. Joseph  
34 Dave Danton, PE  
35 Patricia Stack  
36 Suzanne Perry-Potts  
37 Bob Dingham

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1                   CHAIRMAN O'ROURKE: Next on the agenda  
2 this evening is Shaker Pointe at Carondelet,  
3 42 and 48 Delatour Road. It's a PDD,  
4 198 residential units, 38,000 square foot  
5 office, retail, restaurant; they are looking  
6 for some action on their final plan.

7                   Joe?

8                   MR. LACIVITA: Members of the board, this  
9 is an exciting project. We have a project that  
10 brings unique design concepts. We're seeing  
11 198 residential senior housing units  
12 developed.

13                   The concept was approved before this  
14 board June of 2008. We received an update from  
15 the Sisters as well as Mr. Grifferty in  
16 December of 2009.

17                   April 15<sup>th</sup>, the Town Board affirmed that  
18 in fact the PDD legislation was consistent  
19 with the plans before them, and they're here  
20 tonight to receive final action on the final  
21 plan.

22                   MR. GRIFFERTY: If it pleases the board,  
23 my name is Steve Grifferty with Alchester  
24 Development and we're helping the Sisters of  
25 St. Joseph develop their Shaker Pointe at

1 Carondelet project.

2 Before we get into some of the technical  
3 details tonight, I'd like to introduce  
4 Sister Mary Anne Rodgers, who is the  
5 Provincial Director of the Sisters of  
6 St. Joseph.

7 SISTER RODGERS: And thank you for your  
8 time this evening. I'm Sister Mary Anne  
9 Rodgers. I'm here from our leadership.

10 The Sisters of St. Joseph have been in  
11 the Capital District for 150 years. Fifty of  
12 those years have been right here in the Town  
13 of Colonie.

14 A number of years ago, consistent with  
15 our mission of education, healthcare and  
16 senior services, we looked at how best to  
17 maintain our values and our property and to  
18 preserve that as far as the environment was  
19 concerned, and yet meet the needs of people.

20 As we were looking for planning, so was  
21 the Town in Colonie. At that time one of the  
22 needs that was recognized was senior housing  
23 with services. So, we're very excited about  
24 the creative plans and that our project  
25 managers have come forth with a really

1 outstanding senior housing development and  
2 preventive services for the people. The  
3 Sisters of St. Joseph are so pleased to be a  
4 part of this and pleased to sponsor Shaker  
5 Pointe.

6 MR. GRIFFERTY: Some members of the board  
7 were here when we did concept approval so I  
8 don't want to bore you with elaborate details  
9 here, but I think that it's important to just  
10 kind of give some review about the project.

11 I do believe that we still have valid  
12 concept approval and again, as Joe mentioned  
13 we did go before the Town Board at the end of  
14 last week and confirmed that our PDD was still  
15 valid, pursuant to the plans that you have in  
16 front of you. Most importantly, maybe just to  
17 build on some of the words that Sister said,  
18 this project, Shaker Pointe at Carondelet is  
19 planned to be a state of the art senior  
20 retirement center here in Colonie for seniors.  
21 Seniors that not only that would reside in  
22 this community, but seniors in the general  
23 environment in the Town of Colonie. That's why  
24 it was mentioned that we have to conform to  
25 local laws. There is commercial space there as

1 well. The commercial space is not in the  
2 effect that we would be operating some kind of  
3 commerce there, but rather services for  
4 seniors. Shaker Pointe is a not for profit. It  
5 was created by the sisters to fill a need in  
6 Colonie, as Sister Mary Anne said. So, our  
7 commerce part there was deemed commerce by the  
8 local law and is commerce in the sense that a  
9 restaurant will be there for people to eat,  
10 medical services, and things of that nature.  
11 Don't get the idea that this pharmacy is a  
12 commercial venture.

13 I'd like to present Dave Danton to kind  
14 of go over some of the design themes and then  
15 Rod Ives is here from the engineering firm  
16 with some of the other technical details.

17 MR. DANTON: To give you an idea of what  
18 the overall concept of the site is, there are  
19 about 30 acres. We border on Delatour Road,  
20 Route 155 and Carondelet Drive. That parcel is  
21 roughly rectangular with a little piece that  
22 comes back into the site right here  
23 (Indicating). We're proposing a variety of  
24 independent living situations for our future  
25 residents and a community center that would

1 have the amenities that Mr. Grifferty had  
2 referred to.

3 The main structure is parking on  
4 Carondelet Drive and Delatour Road and it  
5 consists of two apartment buildings that house  
6 about 128 apartments. Sandwiched between them  
7 is a community center that would serve two  
8 purposes to have amenities for the residents  
9 that live on the site and many of the  
10 residents that live adjacent to the site,  
11 which are mostly senior housing provided by  
12 the diocese.

13 We have a portion of the community center  
14 that would be private for the residents that  
15 reside on our site. Part of it would be open  
16 to the surrounding residents. The area for the  
17 surrounding residents would have a small  
18 convenience operation where you could get grab  
19 and go meals, some support things and  
20 convenient items.

21 There would be a health and wellness  
22 section which would be a clinic for health  
23 services. Wellness amenities would be  
24 exercise, both aerobic and machines, a  
25 swimming pool and those would be available to

1 the community that surrounds us. They would  
2 have access to an auditorium for  
3 entertainment, on occasion.

4 There would be a small restaurant that  
5 would offer meals to the people and a  
6 gathering space. There would be some  
7 enrichment to the lives of the people that  
8 surround us both in terms of health and  
9 wellness, activities, and some other support  
10 services. For the residents that live on  
11 campus, there will be libraries.

12 There would also be additional dining  
13 opportunities. There would be two dining  
14 venues, activity center, and a studio. There  
15 would be a business center for the residents  
16 who live here. Many of them have on-going  
17 business interests.

18 Also, we would provide support services  
19 like a major kitchen that would support the  
20 dining services. It would be maintenance and  
21 things of that nature, so that the community  
22 would be well maintained.

23 The two apartment buildings are accessed  
24 by points along Carondelet Drive and at one  
25 point on Delatour Road we have three parking

1           lots. There are 71 parking spaces, 82 parking  
2           spaces and 51 parking spaces, respectively.  
3           There is also parking for the residents who  
4           live in this area and that would be about 55  
5           spaces.

6                     In addition to these 128 spaces, there  
7           are additional living opportunities. There is  
8           a small cluster of four buildings in this  
9           location. Two of the buildings have eight  
10          units and two of the buildings have four  
11          units. These building are three story, and the  
12          four unit buildings are one story.

13                    At the corner of Route 155 and  
14          Delatour Road there is a cluster of  
15          townhouses. On Route 155 is another structure  
16          of apartments that were modest in size. It is  
17          34 units and is also three stories. These  
18          units would also have access to all the  
19          amenities that are available in our community  
20          center.

21                    To give you a little brief synopsis of  
22          the architectural approach, we have decided  
23          with the Sisters that we would use  
24          architectural expressions that were very  
25          consistent with the Shaker architecture that's

1 prominent in this area. A lot of the  
2 architectural detail would be derived and be  
3 very true. These are the cottages at the top  
4 of the sheet. We have two cottages that are  
5 stand alone units and the remainder of the  
6 cottages are paired in twins. Our four unit  
7 buildings take a lot of the architectural  
8 details from the individual units and then  
9 these are the eight-units here (Indicating).

10 This is the 34-unit building. It's not  
11 just a single long structure. There is a major  
12 break to break the scale down so that what you  
13 perceive in elevation here is really offsets  
14 much more than what it would appear on this  
15 paper. Again, it has the Shaker detailing.

16 Then the larger structure, we have  
17 organized the building in a manner that has  
18 major breaks in the floor plan and in the  
19 elevations so that it appears as a cluster of  
20 buildings.

21 These are elevations of the larger  
22 apartment buildings so we have masses of  
23 buildings that are broken. It appears to  
24 scale, so again, they look very much like the  
25 larger Shaker buildings.

1           The community center - we have taken  
2           other images from the Shaker architecture.  
3           This happens to be a circular barn. These  
4           happen to be two-story images (Indicating).  
5           This happens to be the swimming pool. This  
6           happens to be the gathering space for the  
7           public portion of the community (Indicating).  
8           Then this half in the background is a  
9           gathering space for the private portion of the  
10          community. This happens to be the lounge and  
11          the administration is in this area  
12          (Indicating).

13           That is generally a summary of the  
14          project, as we presented it to the town for  
15          consideration.

16           MR. GRIFFERTY: Are there any questions  
17          that you would like us to address?

18           MR. LACIVITA: The TDE needs to just  
19          comment on this.

20           MR. GRIFFERTY: Okay. We've been working  
21          with Joe and Clough Harbour so we can just  
22          comment on where we are in the review process.

23           MR. ROMANO: If the board recalls when  
24          the project was last in front of the Planning  
25          Board back in December, we were still working

1 through a number of technical issues with both  
2 our comments and the department comments.  
3 Since that time, we have worked with the  
4 applicant's engineer. I think that we've  
5 reduced those comments. There are still a few  
6 comments that are relatively minor in nature  
7 and technical. There is some labeling and  
8 stuff like that.

9 I think that it's important to note that  
10 in this process, I don't think that the layout  
11 of the project or the scope of the project has  
12 really changed. It's really been the majority  
13 of engineering and technical issues that we've  
14 been working through and we are comfortable  
15 enough with where the plans are now to bring  
16 it back in front of the board for  
17 consideration and any additional comments that  
18 the board may have.

19 CHAIRMAN O'ROURKE: Tom?

20 MR. NARDACCI: I don't have any  
21 questions, but I do have a couple of comments.

22 I was trying to think back to June of  
23 2008 when we first reviewed this at a concept  
24 level for the Town Board and the PDD. I can't  
25 remember the other items that we looked at in

1 June of '08 but I remember this project for a  
2 lot of good reasons. I just want to reiterate  
3 the comments that I made then as well as when  
4 they came back before the board in December of  
5 '09. This project exemplifies what should be  
6 happening in the Town of Colonie as the  
7 region's premier suburban community.

8 First and foremost, it's directly in line  
9 with the Comprehensive Plan. The first goal of  
10 the Comprehensive Plan is to provide  
11 opportunity ties and incentives for the  
12 development and redevelopment of a variety of  
13 housing options in the town to meet the needs  
14 of its increasingly diverse population. In  
15 particular the trend towards smaller house  
16 sizes, the aging population -- that's number  
17 one. Goal number one is to provide housing  
18 options for an aging population. This does  
19 that in an interesting way. It falls in line  
20 with the PDD. The requirements of a PDD within  
21 the Land Use Law is providing the benefits.

22 The third thing - and this is the most  
23 striking part of it is the attention to the  
24 architecture. They've found a way to integrate  
25 into the town with the Shaker design and

1 having interesting buildings.

2 In my career, my wife and I lived in  
3 suburban New Jersey and we lived in suburban  
4 Virginia, which are two high end suburban  
5 markets. Living there you get a chance to see  
6 a lot of interesting cutting edge types of  
7 developments. National developers are building  
8 there. In Colonie, this board reviews a lot of  
9 plans that are very vanilla. They meet the  
10 requirements and they meet the minimum  
11 standard, but it's few and far between when  
12 someone comes in and far exceeds the minimum.  
13 This is a project that has done that. The  
14 presentations are great. You've met all the  
15 requirements and I'm just extremely pleased  
16 that we're at this point.

17 A lot has happened and it's unbelievable  
18 that it was 2008 and we're in 2010. Time  
19 happens so fast, but this is really  
20 interesting. I'm glad you're here and I'm glad  
21 that you're at final. I'm glad that you've  
22 been able to work with us and the town on the  
23 issues.

24 Just a comment - it's a rare opportunity  
25 and hopefully in the future developers will

1 look at Colonie and they will see that similar  
2 opportunities exist. When they come forward  
3 with great plans, the process will be very  
4 smooth. Thank you.

5 CHAIRMAN O'ROURKE: Paul.

6 MR. ROSANO: I have a comment and a  
7 question.

8 I'm glad that Dan wasn't looking at me  
9 when he said aging population. He was looking  
10 up here, though.

11 I do have a question about the community  
12 center. You mentioned that it was going to be  
13 partially opened to the public. Did I hear  
14 that right?

15 MR. GRIFFERTY: That's correct. It's open  
16 to the public.

17 MR. ROSANO: How exactly is that going to  
18 work? I know that taxpayers are more  
19 interested in places like that.

20 MR. GRIFFERTY: Well it works in a number  
21 of ways. As Dave mentioned, one of the  
22 missions of the Sisters is to serve the  
23 neighbors. Our neighbors immediately to the  
24 north of the project are five established  
25 senior housing programs that don't have

1 services. So people from those apartments will  
2 be able to come and get services here. We have  
3 a health facility that will be an extension of  
4 Seton Hospital. They will be there for primary  
5 care, family care and specialty care. So  
6 people can actually go there and receive some  
7 medical treatment. It's not a doc in the box  
8 in the way that you think of an urgent care  
9 center. It's more like a gerontological  
10 program following patients in a caring way  
11 over time. So that's what that practice will  
12 be.

13 We have a large meeting room which will  
14 be used for community programs.

15 The sisters are also sponsors of the  
16 College of Saint Rose and so we have a  
17 partnership created with the college where  
18 some educational courses will be given of  
19 general interest to probably seniors, but I  
20 think probably the general community. So that  
21 will give a little more breath to it than just  
22 the gerontological focus. It will have some  
23 focus on the gerontological issues.

24 Then we have a dining services program.  
25 The brown barn area will be one of the dining

1 areas. That will be open on a scheduled basis.  
2 It's not a come as you please so that we can  
3 accommodate some dining need there. We also  
4 have - we're calling it a grab and go deli,  
5 but we'll come up with a better name for it  
6 than that. That will be a program where people  
7 can go get meals and then take them home. They  
8 will be light nutritious meals that are  
9 beneficial in cost so that we're helping in  
10 that regard to make sure that there is some  
11 nutrition going on. Those are just some of the  
12 ways that we'll be open to the public.

13 MR. ROSANO: Are you going to be  
14 requesting or need a liquor license?

15 MR. GRIFFERTY: No.

16 MR. ROSANO: So you're going to tell me  
17 that all of these seniors are not going to  
18 want a glass of wine?

19 MR. GRIFFERTY: I've worked in senior  
20 living for a long time. The way that it works  
21 is basically BYOB. A senior, if they consume  
22 and buy spirits in the residence, they can  
23 bring their own to the dining room.

24 CHAIRMAN O'ROURKE: Elena?

25 MS. VAIDA: I have really no other

1           comments. I join in the comments that Tom  
2           made. I think that it is a great project and  
3           it's a model really for others to follow in  
4           the future.

5           MR. GRIFFERTY: Thank you.

6           CHAIRMAN O'ROURKE: Mike?

7           MR. SULLIVAN: I just wanted to make sure  
8           that the comments from the town departments  
9           and the TDE have been addressed and it sounds  
10          like that is ongoing. I have nothing further.  
11          Thank you, very much.

12          MR. GANNON: I think that this will be  
13          very popular. I am a former resident of Hudson  
14          Preserve and we used to have several  
15          stragglers from Carondelet to enjoy the summer  
16          weather at Hudson Preserve and I think that  
17          this is a great project.

18          I think that there's opportunity for  
19          multigenerational incorporation. There are a  
20          lot of young people in this community and  
21          there is a desperate need for it. I've alluded  
22          to it at points in my comment before for the  
23          options for seniors in the town. It's  
24          encouraging to see it happen.

25          One last question that I have - you've

1           undertaken some marketing efforts already. Out  
2           of my own curiosity here, what has the  
3           interest level been for this project?

4                     MR. GRIFFERTY: That's an excellent  
5           question. The project has been very well  
6           received. Candidly getting going with  
7           construction will help some of the marketing  
8           here.

9                     The first phase of the campus is better  
10          than halfway sold out. We've come a long way  
11          with it. We've done marketing a long time, but  
12          this is a seeing is believing time I think for  
13          people. Especially for the people that we  
14          choose to serve that don't have much time and  
15          they want to see it happen. So we're very  
16          grateful to be here at this point.

17                    CHAIRMAN O'ROURKE: Without taking a  
18          whole lot of time I again would like to echo  
19          my colleague's comments on this project. My  
20          only input is as we first got this project,  
21          many of us were new on the board and we had  
22          just instituted a town designated engineer  
23          program. I certainly would like the input back  
24          from one of the first developers so that we  
25          can improve upon that town designated engineer

1 program that we've instituted. So, I certainly  
2 would like some input back from you folks. We  
3 think that the product that you've given this  
4 town is going to be fantastic. We'd like to  
5 provide the opportunity for additional people  
6 to come in and do these similar type things so  
7 we need your help in almost grading us as a  
8 town and our institution of the town  
9 designated engineer. Again, this is a business  
10 and cooperation between developers and the  
11 town to come up with these type things.

12 MR. GRIFFERTY: We're very grateful to be  
13 able to supply this product in the Town of  
14 Colonie. I have to say that the process has  
15 really made our product a stronger one. That  
16 kind of goes to the town department heads that  
17 have reviewed this and staff and Clough  
18 Harbor. You've raise the bar a little higher  
19 with some of the standards, but it's really  
20 made our project better.

21 If I could comment on that a little bit  
22 because we kind of approached final approval  
23 here is getting involved with what we call a  
24 circular loop of reviews. There are some  
25 technical things that we have to finish up, as

1 Joe mentioned. I think that they are mostly  
2 labeling. There have been some conflicting  
3 comments along the way between department  
4 staff and reviewing engineers. Even some staff  
5 in the town themselves have different ideas  
6 about how to accomplish the same thing, but in  
7 the end we can only build a project one way.  
8 What we are asking for is kind of final voice  
9 on this last go around. We have a series of  
10 comments from our last review and we'd like to  
11 see if we can just make that definitive  
12 checklist so that when we check those off with  
13 the TDE that we're done.

14 MR. LACIVITA: C.J., if I could just  
15 speak to that point - actually it's two  
16 points. One was the town would never continue  
17 to process without feedback from the TDEs, the  
18 developers, and everything else.

19 A questionnaire has gone out to all  
20 projects that are currently in the TDEs hands  
21 with information to come back to us and to the  
22 town so that we can continue to make  
23 improvements along the way.

24 Steve, to your points, I know that we  
25 talked - it would have been last Thursday on a

1 couple of loose end items, we'll call it. We  
2 were on a conversation and we spoke with Joe  
3 Grasso as well and we just kind of reiterated  
4 with Joe Romano. Those things were minor at  
5 best.

6 With absolutions, I went to the Sisters  
7 the other day and talked about them as well.  
8 It seems like those items that we figured  
9 might be on the loose end are all back around.

10 CHAIRMAN O'ROURKE: Again, I think that  
11 as we go forward - to steal one of Brad's  
12 terms - is the housekeeping items. If they are  
13 housekeeping items, they certainly shouldn't  
14 be holding up a project in my estimation.

15 As we look at a project and it gets the  
16 approval of this board, and departments within  
17 the town, we have to speak in one voice to the  
18 developer. Again, it would be like having 49  
19 stock brokers manage your portfolio. Everyone  
20 would have their own idea. It might not come  
21 out quite the way that you want. I think that  
22 we're leaning more toward the town designated  
23 engineers as being our representatives. I will  
24 get back to you within a day in regard to that  
25 final end of it. I think that this board is

1 ready to move forward.

2 Joe, in terms of what is left on that  
3 list, are they just housekeeping items?

4 MR. ROMANO: There is nothing in the  
5 comments that we have received that are  
6 comments that we've produced that we think  
7 would be a plan change that would require the  
8 applicant to come back to the Planning Board.

9 CHAIRMAN O'ROURKE: I just don't want to  
10 hold up the good Sisters' money.

11 Joe you're comfortable with that and the  
12 TDE?

13 MR. LACIVITA: Absolutely.

14 CHAIRMAN O'ROURKE: Then we're going to  
15 put it in the record.

16 What the TDE says is outstanding in  
17 regard to those housekeeping items is it.

18 MR. GRIFFERTY: Thank you very much.

19 CHAIRMAN O'ROURKE: You're welcome.

20 Anybody from the audience have a comment  
21 or question in regard to the project?

22 Yes, ma'am.

23 MS. STACK: My name is Patricia Stack and  
24 I live in Sheehy Manor which is right behind  
25 where they are.

1 I am so happy to see them and will use  
2 whatever services that we can.

3 CHAIRMAN O'ROURKE: We're glad as a town  
4 that we're going to be able to provide those  
5 for you.

6 MS. STACK: Absolutely. So, I'm very  
7 happy about it.

8 CHAIRMAN O'ROURKE: Thank you.  
9 Yes, ma'am.

10 MS. PERRY-POTTS: I'm Suzanne  
11 Perry-Potts. I'm just wondering what they are  
12 going to charge people for the apartments?

13 MR. GRIFFERTY: That's an excellent  
14 question. I get this question every day. We  
15 are a not for profit but we have a range of  
16 prices for people with over 70 options. So, we  
17 focus together and we look at the demographics  
18 of the town, our census, where we're going in  
19 the future, the way people live here, what  
20 home values are and what pensions are in the  
21 area. We have created a range of pricing. So,  
22 there is no really one answer that I could  
23 give you in terms of price. Basically the  
24 program was created by the Sisters to fill a  
25 need in housing and services for people that

1 make a little bit too much income to be able  
2 to live at Sheehy or Cabrini or some of the  
3 other programs there and they get disqualified  
4 from them, but it's still too difficult for  
5 them to continue to maintain a home on their  
6 own. We see age and spouses lose each other  
7 over time and they go down to maybe just one  
8 pension. So, we have a variety of housing to  
9 fill that whole spectrum and the styles of  
10 housing to really accommodate the different  
11 needs as well.

12 CHAIRMAN O'ROURKE: Anyone else?

13 ***(There was no response.)***

14 CHAIRMAN O'ROURKE: Would the Supervisor  
15 like to say something in regard to the  
16 project?

17 SUPERVISOR MAHAN: I think that it's an  
18 excellent project. We've been working on it  
19 for quite awhile. We've had several meetings  
20 back and forth. We've been monitoring it to  
21 make sure that it was moving forward. The  
22 options that it provides are many services for  
23 many different people in different ranges of  
24 income. It offers a lot of services to help  
25 people maintain their independence and

1 maintain a social network and support. We're  
2 really happy that it's happening and we're  
3 sure that this is going to be a model setting  
4 and program for the whole region.

5 CHAIRMAN O'ROURKE: Thank you, Madam  
6 Supervisor.

7 Anyone else?

8 ***(There was no response.)***

9 CHAIRMAN O'ROURKE: Yes, sir.

10 MR. DINGHAM: My name is Bob Dingham and  
11 I have lived in the town for most of my life.  
12 My mother and father-in-law have lived at the  
13 Beverwyk for about 10 years. This is a very  
14 well needed project and I'm glad to see this  
15 in Colonie.

16 CHAIRMAN O'ROURKE: Thank you.

17 We're looking for a motion.

18 MR. NARDACCI: I'll make that motion for  
19 final approval.

20 MR. GANNON: I'll second it.

21 CHAIRMAN O'ROURKE: To include the  
22 outstanding list from the TDEs that's  
23 presently on file.

24 All those in favor?

25 ***(Ayes were recited.)***

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CHAIRMAN O'ROURKE: All those opposed?

*(There were none opposed.)*

CHAIRMAN O'ROURKE: Good luck.

*(Whereas the proceeding concerning the  
above entitled matter was adjourned  
at 8:55 p.m.)*

**CERTIFICATION**

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4 **I, NANCY STRANG-VANDEBOGART, Notary**  
5 **Public in and for the State of New York,**  
6 **hereby CERTIFY that the record taped and**  
7 **transcribed by me at the time and place noted**  
8 **in the heading hereof is a true and accurate**  
9 **transcript of same, to the best of my ability**  
10 **and belief.**

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14 **NANCY STRANG-VANDEBOGART**

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17 **Dated May 20, 2010**