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STATE OF NEW YORK : COUNTY OF ULSTER  
TOWN OF MARLBOROUGH PLANNING BOARD

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In the Matter of

TWIN POND ENTERPRISES

Project No. 16-9013  
2007 Route 9W, Milton  
Section 103.1; Block 1; Lot 3

----- X

SKETCH - SITE PLAN

Date: December 19, 2016  
Time: 7:30 p.m.  
Place: Town of Marlborough  
Town Hall  
21 Milton Turnpike  
Milton, NY 12547

BOARD MEMBERS: CHRIS BRAND, Chairman  
JOEL TRUNCALI  
BEN TRAPANI  
CINDY LANZETTA  
JOSEPH LOFARO  
MANNY CAUCHI

ALSO PRESENT: RONALD BLASS, ESQ.  
PATRICK HINES  
VIRGINIA FLYNN

APPLICANT'S REPRESENTATIVE: PATRICIA BROOKS

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MICHELLE L. CONERO  
10 Westview Drive  
Wallkill, New York 12589  
(845)895-3018

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CHAIRMAN BRAND: I'd like to call the meeting to order with the Pledge of Allegiance to the flag of our country.

(Pledge of Allegiance.)

MR. TRUNCALI: Agenda, Town of Marlborough Planning Board, December 19, 2016. Approval of stenographic minutes for 11/21. Twin Pond Enterprises, sketch, site plan; Bill Woodward, discussion, without attorney, engineer or stenographer. Next deadline: Friday, January 6th. Next scheduled meeting: Monday, January 16th.

CHAIRMAN BRAND: Excellent. We've all had time to review the stenographic minutes for 11/21. Do I have a motion to approve those minutes?

MS. LANZETTA: I'll make a motion to approve those minutes.

CHAIRMAN BRAND: Is there a second?

MR. LOFARO: I'll second.

CHAIRMAN BRAND: Joe. Any discussion?

(No response.)

CHAIRMAN BRAND: All those in favor?

MR. TRAPANI: Aye.

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MS. LANZETTA: Aye.

MR. TRUNCALI: Aye.

MR. CAUCHI: Aye.

MR. LOFARO: Aye.

CHAIRMAN BRAND: Any opposed?

(No response.)

CHAIRMAN BRAND: And I will abstain.

Even though I could vote I will say no because I was not at that meeting. One abstention.

I'd like to make a quick addendum to the agenda. I would like to announce we did get the memo from Mike Baden, Chairman of the Ulster County Planning Board, with the training certificates. So I'll just read those to be included in the public record.

Joe Lofaro has attended the activity and qualifies for two hours; Joel Truncali attended the activity and qualifies for two hours of educational training; Benjamin Trapani, two hours; Manny Cauchi, two hours; Steve Clarke, two hours; Chris Brand, two hours; Virginia Flynn, two hours; and Cindy Lanzetta, two hours.

First up, Twin Pond Enterprises.

MS. BROOKS: Good evening. I did

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receive a copy of Pat's memo this evening.

The application before the Board is the reuse of a 6.22 acre parcel of land situated on the western side of Route 9W. The last time I was actually involved with this project was back in 1990 when we received site plan approval for Formisano Recycling. I'm not sure how many years that was there before it burnt to the ground. What year was that? It's been awhile. And then subsequent to that I'm assuming that there was a site plan approval for the auto sales facility that was there until fairly recently.

Dave Mannese as Twin Pond Enterprises purchased the property in September of 2016 from Ulster Savings Bank. He proceeded to start moving his business operations that currently were being run on Mahoney Road onto this site and then realized that he probably should be getting a site plan approval to do so. So the reason that we're here this evening it is to initiate that process. He's still trying to develop the plans for exactly what he wants to do there. I do understand that the plan is deficient at this point in time in a lot of the information that

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we're going to be requiring. He wanted to make sure he at least initiated the process, showed what he was using the site for right now and get some feedback from the Town with regard to what your issues and concerns were going to be on the site.

Certainly Pat raised one, which I'm sure is going to be a large one, with regard to the number of trips per day, getting the trailers in and out of there, of the facility.

The previous owner of the property was hoping that he would be able to continue to sell some cars from the site and use a display area. The way we have it right now, the display cars would be in the front and the customer parking for that would be in the front by the sales cars. Pat did bring up an issue in his memo, which is very valid, that if the showroom and the office for the used car sales are in the back of the building and we're showing the parking and the display area being out by the road, that perhaps that would be a safety issue as well as, trying to get from the building back and forth with the tractor trailer traffic. So that's something

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also that I'll have to discuss with Mr. Mannese.

I don't know if you want to open it up to the Board or if you want to review Pat's memo. How ever you want to --

CHAIRMAN BRAND: Pat, maybe you can just run through your meant.

MR. HINES: Sure. I guess my first comment is what do they do here? What is the facility --

MS. BROOKS: He's like a transfer station for pallets. So if a store calls up and said I need X number of pallets, he delivers them to a Wal-Mart, and then once they're unloading all of their wares, there are pallets that need to be picked up. So it's basically transporting pallets back and forth from large distributors that use them for moving merchandise around. He also, when they're -- the fence storage area in the back -- the storage fenced pallet area on the concrete pad, if pallets need repair they repair them inside the building before they send them back out again. So it's basically a transport station for moving pallets.

MR. BLASS: So they're going to be

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repairing them in front of the --

MS. BROOKS: No. Inside the building.

MR. BLASS: In the building but in front of the commercial building that's in the back that's used for seeing cars that are in there also or not?

MS. BROOKS: Well not any more. I mean I guess there were at one point in time. Right now he's using the interior of that building.

MR. BLASS: Okay. So they will not be -- have a showcase?

MS. BROOKS: Where it says showroom there, that is the big glassed area. I don't know whether he's planning -- that would be part of the used car sales, if that's permitted. The rest is commercial building.

MR. BLASS: It would be for the fixing of the pallets?

MS. BROOKS: I'm not sure what that was used for when it was used car sales, whether they used it for detailing, getting the cars ready for sale. I'm note really sure.

MR. HINES: It appears to be a lot of truck traffic for that use, or a lot of trucks

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staged there. I don't know, does he own that many trailers or is this a worst case?

MS. BROOKS: Yeah, he does own that many.

MR. HINES: There are a lot of trailers there. That goes to the intensity of use which we'll get to later.

The site has portions of a Central Hudson right-of-way in it and Central Hudson has fee ownership six feet off the back of the building. A lot of the paved area behind the building is actually not on this site's property, including that area Patti just mentioned where the pallets are being stored. The only way to get back there would be to go around the back on to Central Hudson's property. They should be included and make sure there's an agreement. I don't know the history there. Everything behind the existing structure is actually on Central Hudson's property, not a right-of-way. That something that needs to get worked out.

There's a note in the R-1 zone portion of the project that we're suggesting be removed regarding possible future trailer and material



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storage. If that's going to be used then we would need a plan and you'd have to come back for that, especially encroaching into the R-1 zone there with the commercial operation.

The customer parking and the used car -- the car sales doesn't seem -- if there's that many trucks coming in and out of here I don't know it would be a real good idea to have the general public coming to look at used cars there and walking to that showroom with this much traffic. I think as we work through this, whether that use is compatible with the truck traffic here is going to be something to look at.

Along with that, the employee parking and the truck parking looks like if it was flipped it might keep some of those trucks away from the 9W frontage there. You may not be able to fit as many trucks but having the employee parking to the rear and the trucks in the front, I think it would lessen the intensity of the use there in the front.

The parking spaces, right now the site is paved, however none of the parking spaces are delineated, and there's also no handicap

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accessible parking spaces depicted. So you have to work those into the plan.

Things like lighting should be shown on the plan.

There's a proposal for some landscaping in the front. We're looking for some more detail on that, the number of plants, the species, the size, et cetera.

The type of fence on the north property line, for outdoor storage the code requires a six-foot opaque fence. If that area on the north side is going to be used for storage, it says existing fence, I don't know if it's an opaque fence. It may be chain link there.

MS. BROOKS: Right.

MR. HINES: So that fence would have to be modified if the outdoor storage use is proposed.

MS. LANZETTA: Pat, I'm just curious, and I could look it up myself, I'm being lazy. Tom says -- Tom Corcoran says that the fence should be eight feet, not six -- six feet.

MR. HINES: Okay. I'll take a look at that. There is a code for the fence. We'll look

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it up. Eight-foot high fence.

And there's also a proposed I think to be installed on the foundation pad that's there now for the outdoor storage.

MS. BROOKS: Yes.

MR. HINES: A fence is proposed along there as well.

Customer parking access to the showroom may be an issue. Pedestrian circulation there, which I previously commented on.

The rest has to do with the fact that the trailer storage being moved further to the back and flipped flopped there.

DOT is going to need to be involved because of the intensity of the truck traffic and they would deal with that site access drive, although when it was the recycling area there was a lot of truck traffic there. It may be acceptable to them. We'll have to have them take a look at it. It just seems there are a lot of trucks.

MR. TRAPANI: From what I've seen with the place they have down here, there's not that many trucks going in and out. They leave early

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in the morning, they pick them up, bring them there and then what they do, they fix these pallets and they load them into these trucks without the -- the trailers and then with the tractor go pick them up and deliver them to wherever they have to deliver them. So I mean it's not like you'll see this many trucks going in and out all the time. I'm only telling you from what I've seen going on where we get the pallets down here.

MS. BROOKS: They store the trailers on the site. That doesn't mean that number of trailers go in and out of the site on a daily basis.

MR. TRAPANI: No, no.

MS. BROOKS: I will try to get a number from him.

MR. TRAPANI: I know three drivers that I know for sure. They may have one more but three drivers that go out once or twice a day and then they come back. You've seen that, Joel.

MR. TRUNCALI: I agree with that.

Where the concrete pad is, that's where they're unloading the trucks there?

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MS. BROOKS: Yes.

MR. TRUNCALI: Are you showing a fence or something on the front or around that?

MS. BROOKS: Yeah. It has to be fenced. I told him he's going to have to gate it because that's where he want to put the storage. I told him he can't have the storage there unless it's completely opaque fence. So --

MR. TRUNCALI: So it's going to be gated so they can open it up and unload the trucks?

MS. BROOKS: You know, there's really no choice. You can't use the box trailers as your screening from the highway.

MR. TRUNCALI: Okay.

MS. LANZETTA: I'm curious, though, if the trailers are in a sense storage also and being stored on site, wouldn't the eight-foot fence have to be around the perimeter of the entire property as opposed to just that one portion where the pallets are?

MR. HINES: I think the section of the code has to do with material storage, not vehicles. It's outdoor storage of materials and

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equipment.

MS. LANZETTA: It says open storage.

So what is a trailer considered?

MS. BROOKS: Closed storage.

MR. HINES: That's a vehicle. The rest of the buildings in Town that have tractor trailers also don't screen them.

MS. LANZETTA: I'm sorry, I don't understand.

MR. HINES: The other facilities in Town, across the street -- the facility across the street has loading docks and they're not screened.

MS. LANZETTA: I'm saying multiple trailers on a property, you can just park them and there's no need to screen them?

MR. HINES: Not per the code, no. That's why I'm suggesting these should be flip flopped and move them back into the site a little more.

CHAIRMAN BRAND: Where would you recommend they go there, Ron -- Pat?

MR. HINES: Where the employee parking is there. Maybe stage them in that area further

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back and move those ten or twelve parking spots up front. It would look more like a regular parking lot.

CHAIRMAN BRAND: Right.

MR. TRAPANI: If there's enough room with the septic system.

MR. LOFARO: They'll have a problem with that.

MR. TRAPANI: See the septic system?

MR. HINES: They can orient them differently so they're, you know, staging with the parallel parking. I don't know if that's the number they need.

CHAIRMAN BRAND: So I think I kind of -- Cindy's question, though, I think is kind of -- the trailer itself, if it's just sitting there for storage that's not considered a material, the trailers? There are number of them.

MR. HINES: I never interpreted it that way. We haven't done that on other sites in Town. The outdoor storage, the pallets or the pipes or something, those were --

CHAIRMAN BRAND: Right.

MR. HINES: -- those would have to be

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screened.

MS. LANZETTA: Yeah. How come -- like with pipes, like the pipes that we had for the so-called water project --

MR. HINES: That was going to use the whole site. They were using the whole site for the pipes.

MS. LANZETTA: Right. So they had to be screened --

MR. HINES: Yes.

MS. LANZETTA: -- but trailers don't have to be screened when they're just sitting there being stored?

MR. HINES: I don't believe so.

MS. LANZETTA: Why is that?

MR. HINES: Because they are really motor vehicles, they're not product.

MS. LANZETTA: They're considered a motor vehicle?

MR. HINES: They're licensed. I assume they're registered trailers.

MS. BROOKS: Yeah. They're over-the-road trailers.

MS. LANZETTA: Okay.



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MR. TRUNCALI: I mean they're not just leaving them there for storage, they're switching them out, different ones back and forth. I'm sure they fix the pallets, they fill the trailer, get it ready to go and then they -- the guy drops another trailer and takes that one over here, you know.

MS. LANZETTA: Okay.

CHAIRMAN BRAND: Do you think the applicant would be against possibly screening that even though it's not required?

MS. BROOKS: Again, that's why I'm here, to get feedback from the Board to bring it back to the applicant. I mean he may say yeah, it's probably easier for me to fence the entire site than have to deal with gates on the --

MR. HINES: That may help him actually.

MS. BROOKS: It actually may be something more beneficial. I certainly will discuss it with him.

CHAIRMAN BRAND: According to the regulations, would he only have to do the front and the sides or it would have to be fenced all the way around?

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MR. HINES: It would be fenced all  
around, --

CHAIRMAN BRAND: Okay.

MR. HINES: -- the material storage  
areas.

CHAIRMAN BRAND: Okay.

MS. BROOKS: I guess the question is  
then how that's going to impact where the Central  
Hudson easement is and --

MR. HINES: I mean the Board can see  
that there are no visual impacts from the rear.  
It may be something the Board considers not to do  
the rear area. It's a pretty good distance and  
it's pretty wooded from just past the Central  
Hudson easement to the R-1 zone there. It is  
pretty -- it's all woods.

CHAIRMAN BRAND: Any other questions  
from the Board?

MR. TRUNCALI: Do they drive the trucks  
all the way around the building?

MS. BROOKS: Yes. They do right now.  
I mean that's what the goal is. As you can see,  
the site is -- for a tractor with a trailer it's  
a little bit tight, in and out, in and out. You

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know, one of the things that he was talking about potentially doing in the future, and maybe if we get DOT involved now it's something he does sooner rather than later, was to relocate the entrance down to the southerly end of the site so that it would be adjacent to the entrance on the Vera properties and then you'd have the two entrances together and it would be more of a clear shot in rather than the tractor and trailer right now have to swing in and make that loop. That might be something to discuss with DOT now. I mean right now it's not a channelized entrance. DOT at this point probably will require that it's brought up to code, especially with the change of use. If he's going to have to go through that, you know, work and expense, he might as well do it in the right location and make it something that's going to be more permanent and --

MS. LANZETTA: The adjacent property owners are also coming to us for site plan review. An option that you might want to discuss with the applicant is if he wanted to talk to the adjoining property owner, because I think they're going to have some issues with DOT, too. Ulster

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County Planning will set up a meeting with the applicants and DOT there, as well as representatives from County Planning, and do like a workshop meeting where they can try to work out any concerns ahead of time so that, you know, you're not coming to us and we work everything out and then you go up to County and DOT and then all of a sudden everything gets sent back again. It's a really great opportunity to --

MS. BROOKS: I was going to say that sounds like a fantastic opportunity, particularly with the two properties that are being developed at the same time.

MS. LANZETTA: Yeah. And I suspect County would probably send it back down to us and tell us to do that anyway, or to suggest that. So the sooner you're able to --

MS. BROOKS: Am I allowed to reach out to --

MS. LANZETTA: Sure.

MS. BROOKS: -- County Planning to do that?

MS. LANZETTA: Sure. Call Dennis Doyle and tell him what's going on and he'll set it up.

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He's done it for other applicants down here.

MS. BROOKS: Okay.

CHAIRMAN BRAND: Anything else?

MS. BROOKS: Is there also -- Cindy mentioned comments from Tom Corcoran. Are there comments from Tom?

MS. LANZETTA: Just saying about the fence needing to be eight foot opaque.

MS. BROOKS: That's a tall fence. That is --

MS. LANZETTA: That's in the code.

MS. BROOKS: That is a tall fence. That's something that the Town might want to reconsider. I don't know that you want eight-foot fences along the highway.

MR. HINES: The intent of that eight-foot fence isn't to surround the entire property. It's where you're storing material. The eight foot is specifically to shield your materials that you're going to store outside. I don't think the Town's intent is to surround properties with eight-foot fence.

CHAIRMAN BRAND: Right. Anything else?

MR. TRUNCALI: I see in the back of the

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map there it says future area for trailer and material storage.

MS. BROOKS: Right. That was one of Pat's comments, take it off there until they're sure what they want to do. And it's in the R-1 zone anyway, so that can be removed from the map.

MR. TRUNCALI: Is that area already cleared?

MS. BROOKS: Yes.

MR. HINES: It's field. It's not pavement.

MS. BROOKS: Correct, it's just field.

MR. HINES: And then there's a treeline. Everything behind that fenced area.

MR. CAUCHI: Patti, I see them stack these pallets. What's the height limit they can stack these things? Is there a height limit?

MS. BROOKS: I don't know.

MR. CAUCHI: Because if the tractor trailers are parked in front of it and you still see them towering over them. There should be a height limit.

CHAIRMAN BRAND: Is that included with the fencing, Pat?

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MR. HINES: It's something the Board can talk about. It defeats the purpose of the eight-foot fence to have twenty-foot high pallets.

CHAIRMAN BRAND: Right.

MS. LANZETTA: Are there any fire codes, safety issues associated with storage of pallets or --

MR. HINES: Not that I know of. I mean they're combustible. It's something the fire department may want to take a look at. There are hydrants here. A certain amount of space in between a certain number, having access rows rather than stack them all together so they don't all burn at once. The fire department may want to weigh in on that, too.

MR. CAUCHI: That's what happened a number of years ago, there was a fire there.

MR. HINES: Recyclables. They recycled newspaper there.

MS. BROOKS: Newspaper and cardboard.

MS. LANZETTA: Yes. I think, you know, the wholesale storage, that's a permitted use in that area. The additional, you know, used car

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sales I think it was going to make it very convoluted and very difficult to do a good site plan. I mean if the applicant really wants to pursue it, but I would think it would cause a lot more headaches than it might be worth.

MS. BROOKS: Okay. I appreciate the feedback.

MR. HINES: Pedestrian traffic just doesn't seem to work either. If you're encouraging that type of use together, the conflicts. You have customers coming in there and the truck movements and people walking around, they don't seem compatible.

CHAIRMAN BRAND: I think, just as part of what we've done in the past, maybe have the applicant look at sidewalks. Maybe a dedicated space so that in the future if sidewalks were to be built, that that would be able to be put there. We did that for the hardware store.

MS. BROOKS: Yes.

CHAIRMAN BRAND: The same kind of thing.

Sorry Manny.

MR. CAUCHI: Another concern is that if



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you're heading north and you're making a left-hand turn into the facility at times of -- you know, certain times of the day when traffic is at height, there's no way for that north side to go around with tractor trailers. There could be some real traffic jams going on there. Is there any study done or any alternative to go around the tractor trailer if they are making a left-hand turn into the facility?

MS. BROOKS: I'm not sure it's legal to pass even a passenger vehicle on the right-hand side, to be honest with you. You know, 9W traffic, obviously all of us who travel it on a regular basis are aware that it is a problem. But no, there are no considerations for passing the tractor trailer on the right any more than there is, quite frankly, any other passenger vehicle that you shouldn't be passing on the right.

MR. CAUCHI: It's just that the passenger vehicle is more quicker than a tractor trailer to make a turn going in there.

MS. BROOKS: I think part of that, you know, discussing with the applicant the concern

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over the intensity of truck traffic and what the number per day is, and I'm just not in a position to answer that right now. The applicant was planning on being here this evening. He e-mailed me about an hour ago and said he had a death in the family and had to run down to the funeral home. I apologize, I don't feel as prepared as I generally am. He knows his business inside and out and was planning on being here. So I will be better prepared to address some of these questions at the next meeting.

CHAIRMAN BRAND: Anything else?

(No response.)

CHAIRMAN BRAND: No. Anything else?

(No response.)

CHAIRMAN BRAND: All right. So you have your homework, he has his homework.

MS. BROOKS: Absolutely.

CHAIRMAN BRAND: We'll see you again.

MS. BROOKS: Thank you very much.

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C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary Public  
for and within the State of New York, do hereby  
certify:

That hereinbefore set forth is a  
true record of the proceedings.

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

IN WITNESS WHEREOF, I have hereunto  
set my hand this 30th day of December 2016.

*Michelle Conero*

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MICHELLE CONERO