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STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH PLANNING BOARD

----- X

In the Matter of

O'BRIEN/GREENSHIRE SUBDIVISION
(2020-05)

21 Greenshire Way
Section 11; Block 1; Lot 92.42
R-1 Zone

----- X

TWO-LOT SUBDIVISION

Date: November 19, 2020
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845)541-4163

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CHAIRMAN EWASUTYN: Good evening, ladies and gentlemen. I'd like to welcome you to the Town of Newburgh Planning Board meeting of the 19th of November. This evening we have four items on the agenda.

We'll call this meeting to order with a roll call vote starting with Frank Galli.

MR. GALLI: Present.

MR. MENNERICH: Present.

CHAIRMAN EWASUTYN: Present.

MR. WARD: Present.

MR. BROWNE: Present.

MR. DOMINICK: Present.

MS. DeLUCA: Present.

MR. CORDISCO: Dominic Cordisco, Planning Board Attorney.

MS. CONERO: Michelle Conero, Stenographer.

MR. HINES: Pat Hines with McGoey, Hauser & Edsall Consulting Engineers.

CHAIRMAN EWASUTYN: At this point we'll turn the meeting over to Dominic Cordisco. Dominic.

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MR. CORDISCO: If you would all rise
for the Pledge of Allegiance.

(Pledge of Allegiance.)

MR. CORDISCO: If you would all silence
your cellphones, please.

CHAIRMAN EWASUTYN: The first item of
business this evening is the O'Brien/Greenshire
Subdivision. It's a two-lot subdivision located
on Greenshire Way in an R-1 Zone. It's being
represented by Engineering & Surveying
Properties.

MR. WINGLOVITZ: Good evening. For the
record, Ross Winglovitz with Engineering &
Surveying Properties here on behalf of John
O'Brien.

We were last in front of the Board in
August. I think we had most of the comments
addressed at that point when we discovered that
there was a variance required as the existing
house was in the front yard. We had been to the
ZBA in October, received a variance, are back in
front of the Board.

I think we're respectfully requesting,
if there are no further comments, that the Board

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O'BRIEN/GREENSHIRE WAY

4

set this for a public hearing regarding the application.

CHAIRMAN EWASUTYN: Pat, are there any outstanding comments at this point?

MR. HINES: We have no outstanding comments. We did receive notice of the front yard setback.

We would recommend a negative declaration and the Board schedule it for the next available public hearing date.

CHAIRMAN EWASUTYN: Dominic, do you have any comments?

MR. CORDISCO: I would concur that the Board consider adoption of the negative declaration to make the application complete so that you could schedule the public hearing.

CHAIRMAN EWASUTYN: Having heard from our Consultant and Planning Board Attorney, would someone move for a motion to declare a negative declaration and set this for a public hearing on the 17th of December?

MR. DOMINICK: I'll make the motion.

MR. WARD: Second.

CHAIRMAN EWASUTYN: Motion by Dave

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Dominick. Second by John Ward. Can I have a roll call vote starting with Frank Galli?

MR. GALLI: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. WARD: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: Ross, just for the record, and I asked our Attorney, Dominic Cordisco, right now the way it looks, we will have an in-person meeting on the 17th of December.

Dominic, do you want to educate us all on if and what may happen and the procedure?

MR. CORDISCO: The Board right now is operating under its standard authority to hold in-person meetings. We do continue to have the option to have virtual meetings, via Zoom for instance. In that case it would be a 100 percent virtual option rather than a hybrid option in all likelihood. At this point my suggestion and recommendation is that the representative be

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prepared as if it was going to be an in-person meeting. If there is a subsequent change in the Governor's Executive Orders or conditions here, then we would advise the public that it was shifting to a virtual meeting on the 17th.

CHAIRMAN EWASUTYN: Pat Hines, how would that happen?

MR. HINES: The shifting of it?

CHAIRMAN EWASUTYN: Yes.

MR. HINES: I think we would have to post it on the Town's website. Dominic had suggested that we would also post it on the door the night of the meeting, the information for the web-based meeting.

MR. CORDISCO: That's correct. In case anyone came who intended to actually be here for the public hearing.

CHAIRMAN EWASUTYN: So you'll work with Pat Hines based on the normal procedure for a public hearing on that date. Thank you.

MR. WINGLOVITZ: Very good. Thank you.

(Time noted: 7:04 p.m.)

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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 3rd day of December 2020.

Michelle Conero

MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH PLANNING BOARD

----- X

In the Matter of

HAMMOND FIVE-LOT SUBDIVISION
(2020-08)

Cronk Road
Section 1; Block 1; Lot 63.23
AR Zone

----- X

FIVE-LOT SUBDIVISION

Date: November 19, 2020
Time: 7:05 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVE: JONATHAN CELLA

----- X

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CHAIRMAN EWASUTYN: Our second item this evening is the Hammond Five-Lot Subdivision. It's a five-lot subdivision located on Cronk Road in an AR Zone. It's being represented by Jonathan Cella.

MR. CELLA: Good evening. Nice to see everybody. This is more or less the -- this is the second time we've been before you, the first time in person for this project.

So it's a five-lot subdivision of a large parcel, a 44-acre parcel of land located on the north side of Cronk Road, between 67 and 65 Cronk Road.

There's a small access which we'll be using to cut in a new private road to service the five lots.

The lots will be served by well and septic.

We're proposing two two-family residences and three single-family residences.

The majority of the parcel on the north end is covered by wetland MB-30 and New York State DEC wetland 9030.

Also, in the back the property borders

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Ulster County, Town of Plattekill.

I received Pat Hines' review comments. I'll work on the plans a little bit more and get some more stormwater management. I'll direct it towards the back. We'll be able to provide a little drainage facility in the back to provide the required storage for water quality before discharging to the wetland. We'll also add several more drainage structures along the road so that we'll collect more of the stormwater.

CHAIRMAN EWASUTYN: Pat, is there anything else you might want to highlight based upon your review?

MR. HINES: The project also has two two-family residential structures which would be here for architectural review as well.

It's a subdivision and then a special use for the two-family residential uses.

CHAIRMAN EWASUTYN: Ken Mennerich had looked at the renderings that you proposed and was curious about -- do you want to --

MR. MENNERICH: Sure. Jonathan, on the doorways into the buildings, it's kind of hard to see where the sidewalks are going to actually be

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and what not.

There's only one doorway that has a roof over it. It would seem like the three other locations should have some sort of overhang.

MR. CELLA: We have the two extra -- the plans attempted to make it look like a single-family residence. That's why we have the one door in the front of the house and then we'll have one on the side. We can provide an additional overhang over the side door if you'd like that.

MR. MENNERICH: Well, the backside has two doors there.

MR. CELLA: Oh, I'm sorry. Those are sliding glass doors onto maybe a small patio.

MR. MENNERICH: Oh, they're sliders?

MR. CELLA: Yeah, sliders.

MR. MENNERICH: That wouldn't be the main entrance then?

MR. CELLA: No. Those would just be sliding glass doors to the rear yard.

MR. MENNERICH: I couldn't tell that.

MR. CELLA: I'm sorry. I'll change these up also.

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MR. MENNERICH: Okay.

MR. HINES: Often times the colors, the shingle types and some more architectural detail is usually requested by the Board.

MR. CELLA: A quick discussion. Vinyl siding would be acceptable. Correct?

CHAIRMAN EWASUTYN: Eventually you have to fill out the architectural form.

MR. CELLA: Okay.

CHAIRMAN EWASUTYN: The night of the public hearing you should bring samples of what the shingles would look like, what the siding would look like, any windows and things like that.

MR. CELLA: Okay, fine.

MR. HINES: They won't be very visible. They're in the rear of the subdivision on very large lots, but it is a requirement of the Board.

MR. CELLA: The northern most lots in the rear. Exactly.

MR. HINES: I have the drainage comments and some septic comments that I know you have.

We need a stamped surveyor sheet as

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well. There's no licensed surveyor stamped sheet.

MR. CELLA: We'll provide that.

CHAIRMAN EWASUTYN: Eventually, Dominic, there will be a road maintenance agreement.

MR. CORDISCO: Yes. That would be a condition of the approval. If they wanted to get started on the process, sometimes that can be a longer lead item than it needs to be.

MR. HINES: As we discussed at work session, a name will be required by the Town Board. So approval of the road name by the Town Board.

MR. CELLA: Okay.

CHAIRMAN EWASUTYN: I think the resolution will probably spell it out, but if not, we need a copy of the filed road maintenance agreement for the Building Department's records because there's always, if not today, in the future, people have a question about it and they should probably have it. The homeowners, they somehow, you know, lose it. So we'll need a copy.

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HAMMOND FIVE-LOT SUBDIVISION

MR. CELLA: Okay.

CHAIRMAN EWASUTYN: Are there other Board Members with comments?

MR. GALLI: I'm all set.

MR. WARD: No.

CHAIRMAN EWASUTYN: Have a happy Thanksgiving.

MR. CELLA: Thank you, everyone.

(Time noted: 7:10 p.m.)

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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 3rd day of December 2020.



MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH PLANNING BOARD

----- X

In the Matter of

LANDS OF JAN KADNAR
(2020-09)

275 Pressler Road
Section 6; Block 1; Lot 10.5
AR Zone

----- X

TWO-LOT SUBDIVISION

Date: November 19, 2020
Time: 7:10 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVE: DARREN DOCE

----- X

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CHAIRMAN EWASUTYN: The third item of business this evening is the Lands of Jan Kadnar. It's a two-lot subdivision located on Pressler Road. It's in an AR Zone and it's being represented by Darren Doce of Doce Associates.

MR. DOCE: Good evening. The last time we appeared before the Board we were referred to the ZBA for a variance. There's an existing building that had a previously approved variance from the ZBA. We were requested to get that reaffirmed. We appeared at the ZBA in October and got that variance regranted. We're back to the Board to request a public hearing, if the Board would like to grant that request.

CHAIRMAN EWASUTYN: Pat Hines.

MR. HINES: Just the one thing I noticed in reviewing this after you came back with your variances, that note 12 identified that another lot has access within the 50-foot easement. It appears you would have three lots on a common driveway, which would need approval from the Town Board.

MR. DOCE: Right. My thoughts on that were that at this time lot 6 isn't a building

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lot. We have that note that if anything happens on lot 6, it has to reappear before the Board for approval. So in essence, we only have two units -- two dwelling units on a common driveway now, which, by definition, a common drive permits you to have two dwelling units. My thought was if this does come back to the Board, which it would have to if anything is built on it, that at that time there would either have to be a waiver or upgrade it to a private road if there is one dwelling unit built on that lot.

MR. HINES: That sounds like a logical explanation to me. I'll defer to Dominic whether or not -- there is that note which it does -- it is not a building lot at this time and is required to come back.

MR. CORDISCO: I think my suggestion would be that your explanation is not only logical but should be memorialized as a note on the plat so that everybody is clear about that expectation in the future.

MR. HINES: Maybe note 12 can be modified to clarify that, no access to the balance parcel.

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MR. DOCE: Even if a single-family home --

MR. HINES: Correct. Based on that note, even a single-family home. That's the intent of that. You're not improving it to be buildable at this time.

I think I'm okay with that, with the clarification that Dominic asked for.

And then this project would need a neg dec and a public hearing.

CHAIRMAN EWASUTYN: Would someone move to declare a negative declaration on the two-lot subdivision for Kadnar and schedule it for a public hearing on the 17th of December?

MR. GALLI: So moved.

MR. WARD: Second.

CHAIRMAN EWASUTYN: Motion by Frank Galli. Second by John Ward. Can I have a roll call vote starting with Frank Galli?

MR. GALLI: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. WARD: Aye.

MR. BROWNE: Aye.

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MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

CHAIRMAN EWASUTYN: Motion carried.

Have a happy Thanksgiving.

MR. DOCE: Thank you.

CHAIRMAN EWASUTYN: Give my best to
your father.

MR. DOCE: Sure thing.

(Time noted: 7:15 p.m.)

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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 3rd day of December 2020.

Michelle Conero

MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH PLANNING BOARD

----- X
In the Matter of

DZIEGELEWSKI TWO-LOT SUBDIVISION
(2020-14)

74 Cronomer Heights Drive
Section 75; Block 1; Lot 46
R-3 Zone

----- X

TWO-LOT SUBDIVISION

Date: November 19, 2020
Time: 7:15 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, NY 12550

BOARD MEMBERS: JOHN P. EWASUTYN, Chairman
FRANK S. GALLI
CLIFFORD C. BROWNE
STEPHANIE DeLUCA
KENNETH MENNERICH
DAVID DOMINICK
JOHN A. WARD

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PATRICK HINES

APPLICANT'S REPRESENTATIVE: CHARLES BROWN

----- X

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CHAIRMAN EWASUTYN: The fourth and final item of business this evening, and I know I'm not going to pronounce it well, and I apologize -- can you pronounce that, Charlie?

MR. BROWN: I'll leave that to my client.

MR. DZIEGELEWSKI: Dziegelewski.

CHAIRMAN EWASUTYN: Thank you. My name is Ewasutyn, if that helps.

Dziegelewski Two-Lot Subdivision. This is the initial appearance for the two-lot subdivision. It's located on 74 Cronomer Heights Drive in an R-3 Zone. Charles Brown of Talcott Engineering is making the presentation.

MR. BROWN: Thank you, John. A lot of history on this particular property. I first got involved in it back when Gallagher owned it. What they told me is when the lot next to their house became available, they bought it and joined the deeds. When they decided to get divorced, they wanted to cut it up to max out the selling. It got to the Health Department. It got dragged out. My understanding is the subsequent owner

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got the Health Department approval for septic, did the public hearing and got final from this Board, but the applicant never filed the map. So we're back here with the new owner.

We have an extension from the Health Department. I've got a copy of the letter.

We want to get this thing subdivided and this time filed.

CHAIRMAN EWASUTYN: Pat Hines, you looked it over and you had some initial questions. I don't know if any of them have been answered yet.

MR. HINES: The first comment is it needs a surveyor of record. There's no surveyor identified.

MR. BROWN: That would be Jonathan Millen. He's currently working on it right now. He's out in the field actually today.

Right?

MR. DZIEGELEWSKI: He was out a couple weeks ago.

MR. HINES: You answered that. You gave us a little history for my second comment on where this went. It was approved. It was

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approved but not filed at one point. Is that what I'm hearing?

MR. BROWN: Approved but not filed. That's correct. That's my understanding.

MR. HINES: The Health Department was the other comment. If you can give us the information that shows that that Health Department approval is still valid. I don't know if you have that right now.

MR. BROWN: I have an extension to May 9, 2022.

CHAIRMAN EWASUTYN: Tomorrow, if you could, e-mail me a copy of that.

MR. BROWN: Sure.

MR. HINES: I am suggesting that the private road access and maintenance agreement be submitted to Dominic for review, just to make sure there's not any no further subdivision or access issue notes and such as that in there.

MR. BROWN: Cronomer Heights Drive?

MR. HINES: Yes. I think with the clarification of the septic system, that I would not have an issue with either issuing a neg dec or reaffirming the previous one from 1999. I

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don't know if we know what that was, so maybe a new one.

MR. CORDISCO: That's for the Board to consider a new negative declaration given the time that has passed and different issues since that time.

MR. HINES: If a neg dec is issued, it could also be considered for a public hearing with some of these items cleaned up in the meantime.

CHAIRMAN EWASUTYN: Does the Board feel ready to declare a negative declaration and set this for a public hearing also on the 17th of December?

MR. GALLI: Do we know when it was last approved?

CHAIRMAN EWASUTYN: Before it was filed?

MR. GALLI: Yeah. It never got filed.

CHAIRMAN EWASUTYN: Right. When was it last approved?

MR. GALLI: Charlie, do you have that date?

MR. HINES: It looks like in the 2012

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era.

MR. BROWN: Their last revision was April 2012 based upon comments from the 5th, April 5th.

MR. HINES: And the Health Department approval originally was May 9th of 2012.

MR. CORDISCO: It sounds like you got very close.

MR. GALLI: I don't have a problem with that, John.

CHAIRMAN EWASUTYN: Anyone else?

(No response.)

CHAIRMAN EWASUTYN: Would someone make a motion to declare a negative declaration and set the 17th of December for a public hearing?

MR. WARD: So moved.

MR. MENNERICH: Second.

CHAIRMAN EWASUTYN: I have a motion by John Ward and a second by Ken Mennerich. Can I please have a roll call vote starting with Frank?

MR. GALLI: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. WARD: Aye.

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MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

MR. BROWN: Thank you very much.

CHAIRMAN EWASUTYN: Charlie, I was pleased -- we all got a copy of the ZBA agenda and I was pleased to see that Miller Environmental is on the agenda.

MR. BROWN: Yes.

CHAIRMAN EWASUTYN: Congratulations.

MR. BROWN: That's quite a complicated application before the Zoning Board. We actually had to split it into three different applications, one for each parcel.

CHAIRMAN EWASUTYN: I saw that.

MR. BROWN: It's going to be a long night Tuesday.

Have a good Thanksgiving.

CHAIRMAN EWASUTYN: It's nice that Miller is finally, hopefully, going to come back and work on that project.

I wish everyone a happy Thanksgiving.

Would someone make a motion to close the meeting of the 19th of November?

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MR. GALLI: So moved.

MS. DeLUCA: Second.

CHAIRMAN EWASUTYN: Motion by Frank
Galli. Second by Stephanie DeLuca. Roll call
vote starting with Frank Galli.

MR. GALLI: Aye.

MR. MENNERICH: Aye.

CHAIRMAN EWASUTYN: Aye.

MR. WARD: Aye.

MR. BROWNE: Aye.

MR. DOMINICK: Aye.

MS. DeLUCA: Aye.

(Time noted: 7:22 p.m.)

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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 3rd day of December 2020.

Michelle Conero

MICHELLE CONERO