

TOWN OF DUANESBURG

Schenectady, New York

Special Joint Meeting of the Town Board of the Town of Duaneburg
and
the Village Board of the Village of Delanson
Duaneburg/Delanson Sewer District #1

Public Hearing on Sewer District Formation - April 5, 1999

- Open Public Hearing, Introduction of Elected Officials.....Bill Park
- Reading of Notice of the Public Hearing by both the Town Clerk and the Village Clerk
- Reading of Affidavit of Publication by both the Town Clerk and the Village Clerk
- History.....Bill Park
- Comments from Regulatory Agencies.....NYSDEC and County DOH
- Presentation of Sewer Project.....McDonald Engineering
- Legal Issues.....Special Counsel - John Tabner
- Questions & Answers from the Public
- Close Public Hearing
- Action by both Town and Village Boards. The Boards can do either of the following:
 - Act on two resolutions, the first dealing with SEQRA (negative declaration), and the second dealing with sewer district formation, or
 - Table the resolutions to be acted on by both boards at their respective next scheduled meeting.

Public Hearing April 5, 1999 at the Duanesburg Elementary School on Chadwick Road. A public hearing regarding the Establishment of a Sewer District in Delanson/Duanesburg.

Present was Council-members Easton, Plue, Pneuman, Wall, Supervisor Park.

The Town Supervisor introduced the Village Trustees, Town Board, The Attorney for the project John Tabner, Town Engineer John McDonald and from the Schenectady County Health Department Jack Parisi.

The Town Clerk read the legal notice for the public hearing. The Village Clerk read the legal notice for the public hearing.

Supervisor Park gave an overview of the proposed project.

The meeting was turned over to Jack Parisi from the Schenectady County Health Department. Mr. Parisi spoke on the background of the individual problems with septic systems in the town. He spoke of complaints of raw sewage in the ditches and in front of businesses. The County Health Department follows up on these complaints. One of the problems is that the lots are too small and the ground is saturated. Most of the soils in the Town of Duanesburg are not suitable for conventional septic systems. He spoke of the contamination of wells. The solution to this problem is for community sewers.

Jack McDonald, the Town Engineer gave an overview of the formation of a Special District to be formed under Town Law. If the present schedule is met, we could go out for construction bids in the fall. We are hoping for construction to start early in the year 2000. The residents that are affected will pay for the sewer district in their town and county tax bill.

Several residents spoke of their concerns, including the possibility of odors from the treatment plant. They asked if they could hook up to the lateral themselves. Several residents spoke of the cost to the residents and to the seniors.

Jack McDonald - stated that there is the possibility of grant money available for the seniors and low income residents to cover hook up costs.

The Town Clerk read the SEQRA resolution.

Resolution #54-99- Upon the motion of Council-member Easton and seconded by Supervisor Park, A resolution was passed which stated that the sanitary sewer collection system and

wastewater treatment project entitled Duanesburg/Delanson sewer District #1 to serve the Village of Delanson, the Quaker Street area and Cole Road all in the Town of Duanesburg, Schenectady County, New York, will not have a significant impact on the environment. Motion carried 5 Ayes. (resolution attached).

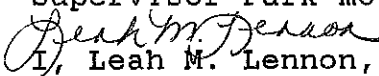
The Village Clerk read a resolution as to SEQRA determination dated April 5, 1999. Trustee Vincent moved for its adoption and seconded by Trustee Mormando. Roll call all in favor. (Copy of the Village resolution attached).

The Village Clerk read a resolution approving the construction of Duanesburg/Delanson Sewer District #1. Trustee Vincent moved and seconded by Trustee Mormando. Roll call all in favor. (Copy of Village resolution attached.)

The Town Clerk read a resolution to authorize the construction of Duanesburg/Delanson Sewer District #1.

Resolution #55-99 - Upon the motion of Council-member Pneuman and seconded by Supervisor Park, a resolution authorizing the construction of Duanesburg/Delanson Sewer District #1 was passed. Motion carried 5 Ayes. (Resolution attached).

Supervisor Park moved to adjourn at 9:35pm all in favor.


I, Leah M. Lennon, Town Clerk of the Town of Duanesburg, do hereby certify that this is a true and accurate transcript as adopted by the Town Board of the Town of Duanesburg on April 8, 1999.

23012

At a Meeting of the Town Board of
the Town of Duanesburg, Schenectady
County, New York, held at the Duanesburg
Elementary School, 165 Chadwick Road,
Delanson, New York on the 5th day of
April, 1999

The meeting was called to order by Supervisor Park, and upon roll being called, there were:

PRESENT:

William H. Park, Supervisor
Councilwoman Ruth M. Easton
Councilman Richard L. Plue
Councilman James F. Pneuman
Councilman Robert L. Wall

ABSENT: NONE

The following resolution was offered by Councilman Pneuman, who moved for its adoption, and seconded by Supervisor Park, to wit:

RESOLUTION NO. 55-99
A RESOLUTION APPROVING THE CONSTRUCTION OF
DUANESBURG/DELANSON SEWER DISTRICT NO 1.

WHEREAS, this Town Board had presented to it a report, map, plan and estimate of cost prepared by John M. McDonald Engineering, P.C., engineers duly licensed by the State of New York, in relation to the proposed construction of sanitary sewers in proposed District known as Duanesburg/Delanson Sewer District No. 1; and

WHEREAS, the maximum amount proposed to be expended for said Project is Six Million, Two Hundred Eighty Nine Thousand (\$6,289,000.00) Dollars; and

WHEREAS, a resolution was duly adopted by said Board on the 18th day of March, 1999, calling for a public hearing on said map, plan and estimate of cost to be held at the Duanesburg Elementary School, 165 Chadwick Road, Delanson, New York on the 5th day of April, 1999 at 7:00 p.m. Local Time; and

WHEREAS, notice of such public hearing was duly published and posted in the manner and within the time provided by the Town Law of the State of New York; and

WHEREAS, said public hearing was duly held at the time and place aforesaid at which time all persons interested in the subject matter thereof were duly heard; and

NOW THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Duanesburg, Schenectady County, New York, as follows:

Section 1. (a) That the notice of hearing was published and posted as required by law and is otherwise sufficient;

(b) that all property and property owners within the proposed District are benefited thereby;

(c) that all property and property owners benefited are included within the limits of the proposed District;

(d) that it is in the public interest to establish Sewer District No. 1;

(e) That the first year cost of full operation and debt payment, if any, for a typical one family or two family home is less than Five Hundred Eighty Seven (\$587.00) Dollars including hook up costs.

Section 2. That the establishment of Sewer District No. 1 as set forth in the aforesaid

map, plan and report be approved and that the approval of the Comptroller of the State of New York is not required and that the requested improvement be constructed and acquired, and the necessary easements and lands be acquired upon the required funds being made available and provided for, and such Sewer District shall be known and designated as Duanesburg/Delanson Sewer District No. 1 in the Town of Duanesburg, and shall be bounded as described in Schedule A annexed hereto.

Section 3. John M. McDonald Engineers, P.C. is hereby authorized and directed to prepare definite plans and specifications and to make a careful estimate of the expense for said improvement, and with the assistance of the Town Attorney or special Counsel, employed by him, to prepare a proposed contract for execution of the work.

Section 4. There shall be annually apportioned and assessed upon the several lots and parcels of land which the Town Board shall determine and specify to be especially benefited by said improvement in just proportion to the amount of benefit which the improvement shall confer upon the same, an amount sufficient to pay the principal of and interest on said obligations as the same shall become due, but if not paid from such source or from other available funds, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitations as to the rate or amount sufficient to pay the principal and/or interest on said obligations as the same shall become due.

Section 5. that the Town Clerk of the Town of Duanesburg shall within ten (10) days after the adoption of this resolution file a certified copy thereof with the County Clerk of the County of Schenectady and the New York State Department of Audit and Control.

Section 6. That the Supervisor shall file a copy of this resolution with the New York

State Department of Health, and such other supporting documents as shall be necessary to complete the application for Health Department approval.

Section 7. This resolution is passed subject to Permissive Referendum as set forth in Section 209e of the Town Law of the State of New York.

Section 8. This resolution shall take effect immediately. The question of the adoption of the foregoing resolution was moved by Councilman Pneuman and seconded by Supervisor Park and duly put to a vote on roll call, which resulted as follows:

AYES: 5

NOES: 0

DATED: April 5, 1999

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STATE OF NEW YORK)
) ss.:
COUNTY OF SCHENECTADY)

I, the undersigned Clerk of the Town of Duanesburg, Schenectady County, New York,
DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on the 5th day of April, 1999, with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Board had due notice of said meeting and that, pursuant to §94 of the Public Officers Law (Open Meeting Law), said meeting was open to the general public and that I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or news media as follows:

<u>Newspapers and/or other News Media</u>	<u>Date Given</u>	
The Gazette	March 24, 1999	
<u>Location of Posted Notice</u>	<u>Other Method of Giving Notice</u>	<u>Date Given</u>
Town Clerk's Bulletin Board		March 24, 1999

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 12th day of April, 1999.

Frank M. Renna
TOWN CLERK

(SEAL)

SCHEDULE "A"

LEGAL DESCRIPTION
Town of Duanesburg
Duanesburg / Delanson Sewer District #1

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND, designated as Duanesburg / Delanson Sewer District #1 on map entitled "Duanesburg / Delanson Sewer District #1", dated March 1999, as prepared by John M. McDonald Engineering, P.C., which District is comprised of the parcels shown on Town of Duanesburg, Schenectady County, New York Tax Map numbers 066, 075, 076, 075.12, 075.16, and 076.09, dated November 7, 1975, and parcels shown on Village of Delanson, Schenectady County, New York Tax Map numbers 066.53, 065.68, 066.61, 065.84, 066.77, 075.28, 076.21, and 075.36, dated November 7, 1975, as prepared by Schenectady County, being more particularly bounded and described as follows:

BEGINNING AT A POINT on the northerly bounds of the Interstate 88 (I-88) right-of-way, said point being along the southerly bounds of Quaker Lane, said point also being the southwest corner of parcel 075-3-18.1 in the Town of Duanesburg, County of Schenectady, State of New York; and

PROCEEDING THENCE (in a clockwise direction around the proposed bounds) in a westerly direction 430 feet along the northerly bounds of I-88 and the southerly bounds of parcel 075-3-19 to a point;

THENCE, in a northerly direction parallel to the westerly bounds of parcel 075-3-19 a distance of 400 feet to a point in parcel 075-3-21.13;

THENCE, in an easterly direction to a point on the east bounds of parcel 075-3-21.13, said point also being on the west bounds of parcel 075-3-18.1, said point also being the northwest corner of parcel 075-3-19;

THENCE, in a northeasterly direction to a point on the east bounds of parcel 075-3-18.1, said point being on the west bounds of parcel 075-3-17.2, said also being 200 feet north of the southwest corner of parcel 075-3-17.2 as measured along the westerly bounds of parcel 075-3-17.2;

THENCE, in a northerly direction along the east bounds of parcel 075-3-18.1 to a point, said point being the northwest corner of parcel 075-3-17.1, said point also being the southerly bounds of Central Bridge Road;

THENCE, in a northerly direction across Central Bridge Road to a point, said point being the southeast corner of parcel 075-3-11.2, said point also being on the north bounds of Central Bridge Road;

THENCE, in a northerly direction along the east bounds of parcel 075-3-11.2 a distance of 190 feet to a point, said point being on the west bounds of West Shore Road;

THENCE, in an easterly direction across West Shore Road to a point on the west bounds of parcel 075-3-11.1; said point also being on the east bounds of West Shore Road;

THENCE, in an easterly direction to the northwest corner of parcel 075.12-1-15;

THENCE, in an easterly direction along the north bounds of parcel 075.12-1-15 to a point, said point being the northeast corner of parcel 075.12-1-15; said point also being on the west bounds of parcel 075.12-1-14.1;

THENCE, in a northerly direction along the east bounds of parcel 075-3-11.1 to the northwest corner of parcel 075.12-1-14.1;

THENCE, in an easterly direction along the north bounds of parcel 075.12-1-14.1 to the northeast corner of parcel 075.12-1-14.1;

THENCE, in a southeasterly direction to a point on the east bounds of parcel 075.12-1-13.1; said point also being the north west corner of parcel 075.12-1-12;

THENCE, in a northeasterly direction along the north bounds of parcels 075.12-1-12, 075.12-1-11.1, 075.12-1-10.1, and 075.12-1-5 to a point, said point being the northeast corner of parcel 075.12-1-5; said point also being the northwest corner of parcel 075.12-1-9;

THENCE, in a northeasterly direction a distance of 230 feet to a point in parcel 075.12-1-5, said point being 80 feet west of the westerly bounds of parcel 075.12-1-6;

THENCE, in a northerly direction a distance of 320 feet to a point in parcel 075.12-1-5, said point being 200 feet west of the easterly bounds of parcel 075.12-1-5 and the westerly bounds of Main Street (also known as NYS Route 395);

THENCE, in an easterly direction to a point, said point being on the east bounds of parcel 075.12-1-5 and the west bounds of Main Street; said point also being 210 feet north of the northerly bounds of parcel 075.12-1-6;

THENCE, in an easterly direction across Main Street to a point, said point being the northwest corner of parcel 075.12-2-6.1; said point also the southwest corner of parcel 075.12-2-5.1; said point also being on the east bounds of Main Street;

THENCE, in an easterly direction along the north bounds of parcel 075.12-2-6.1 to a point, said point being the northeast corner of parcel 075.12-2-6.1; said point being the southeast corner of parcel 075.12-2-5.1; said point also being on the west bounds of parcel 075.12-2-10.11;

THENCE, in a northwesterly direction along the west bounds of parcel 075.12-2-10.11 to the northwest corner of parcel 075.12-2-10.11;

THENCE, in an easterly direction along the north bounds of parcel 075.12-2-10.11 to a point, said point being the northeast corner of parcel 075.12-2-10.11; said point also being on the west bounds of parcel 075.12-2-10.12;

THENCE, in a northwesterly direction along the west bounds of parcel 075.12-2-10.12 to a point, said point being the northeast corner of parcel 075.12-2-4.1, said point also being on the south bounds of parcel 075.12-2-2.1;

THENCE, in an easterly direction along the south bounds of parcel 075.12-2-2.1 to the southeast corner of parcel 075.12-2-2.1;

THENCE, in a northerly direction along the east bounds of parcel 075.12-2-2.1 to the northeast corner of parcel 075.12-2-10.12;

THENCE, in a northerly direction along the east bounds of parcel 075.12-2-2.1 to a point, said point being the northeast corner of parcel 075.12-2-2.1; said point also being the northwest corner of 075.12-2-10.12;

THENCE, in a northerly direction a distance of 45 feet across parcel 075.12-2-1 to a point, said point being approximately 740 feet east of the easterly bounds of Main Street as measured along the northerly bounds of parcel 075.12-2-1;

THENCE, in a westerly direction along the north bounds of parcel 075.12-2-1 to a point, said point being the northwest corner of parcel 075.12-2-1; said point also being southwest corner of parcel 076.21-1-16;

THENCE, in a northerly direction along the easterly bounds of Main Street a distance of approximately 260 feet to a point, said point also being 120 feet southerly of the southwesterly corner of parcel 075.36-2-11 as measured along the easterly bounds of Main Street;

THENCE, in a westerly direction across Main Street to a point, said point being the northeast corner of parcel 075.36-2-9; said point also being on the west bounds of Main Street;

THENCE, in a westerly direction along the north bounds of parcel 075.36-2-9 to the northwest corner of parcel 075.36-2-9;

THENCE, in a southerly direction along the west bounds of parcel 075.36-2-9 to a point, said point being the southwest corner of parcel 075.36-2-9; said point also being the northwest corner of parcel 075.36-2-10;

THENCE, in a southerly direction along the west bounds of parcel 075.36-2-10 to a point, said point being the southwest corner of parcel 075.36-2-10; said point also being the northwest corner of parcel 075.12-1-4;

THENCE, in a westerly direction along the north bounds of parcel 075.12-1-3 to a point, said point being the northwest corner of parcel 075.12-1-3; said point also being the northeast corner of parcel 075.12-1-2;

THENCE, in a northerly direction a distance of approximately 146 feet along the west bounds of parcel 075.36-2-2 to a point, said point being a corner of parcels 075.36-2-2 and 075.36-2-1;

THENCE, in a northeasterly direction a distance of approximately 120 feet along the west bounds of parcel 075.36-2-2 to a point, said point being a corner of parcels 075.36-2-2 and 075.36-2-1;

THENCE, in a northwesterly direction along the west bounds of parcel 075.36-2-2 to a point, said point being the northwesterly corner of parcel 075.36-2-1, said point also being on the south bounds of West Shore Road;

THENCE, in a northwesterly direction across West Shore Road to a point, said point being the southwest corner of parcel 075.36-1-4; said point also being on the north bounds of West Shore Road;

THENCE, in a southwesterly direction along the north bounds of West Shore Road to a point, said point being the southwest corner of parcel 075.36-1-5; said point also being the southeast corner of parcel 075.36-1-6;

THENCE, in a northwesterly direction along the west bounds of parcel 075.36-1-5 to a point, said point being the northwest corner of parcel 075.36-1-5; said point also being on the southerly bounds of the D & H Railroad;

THENCE, in a northwesterly direction perpendicular to and across the D & H Railroad to a point, said point being on the northerly bounds of the D & H Railroad; said point also being on the south bounds of parcel 075-3-7.111;

THENCE, in a northeasterly direction along the northerly bounds of the D & H Railroad to a point; said point being the southeast corner of parcel 075.27-2-3.11, said point also being the southwest corner of parcel 075.27-2-14.1;

THENCE, in a northerly direction a distance of approximately 100 feet along to the west bounds of parcel 075.27-2-14.1 to a point;

THENCE, in a westerly direction a distance of approximately 500 feet to a point, said point being a corner of parcel 075.27-2-1; said point also being the northern most corner of parcel 075.27-2-3.12;

THENCE, in a northerly direction along the west bounds of parcel 075.27-2-1 to a point, said point being on the southerly bounds of Thousand Acres Road, said point also being to the northwest corner of parcel 075.27-2-1;

THENCE, in a northerly direction across Thousand Acres Road to a point, said point being the southwest corner of parcel 075.27-1-8, said point also being on the northerly bounds of Thousand Acres Road;

THENCE, in a northerly direction along the west bounds of parcels 075.27-1-8 075.27-1-9 to a point, said point being the northwest corner of parcel 075.27-1-9, said point also being the southwest corner of parcel 075.27-1-1;

THENCE, in a westerly direction along the north bounds of parcel 075-3-2.2 to the southwest corner of parcel 065-2-20;

THENCE, in a northerly direction along the west bounds of parcel 065-2-20 to the northwest corner of parcel 065-2-20;

THENCE, in an easterly direction along the north bounds of parcel 065-2-20 to a point, said point being the northeast corner of parcel 065-2-20; said point also being the northwest corner of parcel 075.27-1-1;

THENCE, in a northerly direction along the east bounds of parcel 065-2-19 to a point, said point being the northeast corner of parcel 065-2-19; said point also being the northwest corner of parcel 065.83.1.1;

THENCE, in an easterly direction along the north bounds of parcel 065.83-1-1 to a point, said point being the northeast corner of parcel 065.83-1-1; said point also being on the south bounds of parcel 065.76-1-1;

THENCE, in a southerly direction along the east bounds of parcel 065.83-1-1 to the northwest corner of parcel 065.83-1-3;

THENCE, in an easterly direction along the north bounds of parcel 065.83-1-3 to a point, said point being the northeast corner of parcel 065.83-1-3; said point also being on the west bounds of Newton Street;

THENCE, in a northerly direction along the east bounds of parcel 065.76-1-1 to a point; said point also being the northwesterly corner of the bounds of Newton Street;

THENCE, in an easterly direction along the northerly bounds of Newton Street to a point, said point being the northwest corner of parcel 065.84-1-10; said point also being the northeasterly corner of the bounds of Newton Street;

THENCE, in a northerly direction along an extension of the easterly bounds of Newton Street a distance of 400 feet across parcel 065.84-1-11 to a point, said point being a southerly corner of parcel 065.76-1-1, said point being 450 feet west of the westerly bounds of Main Street;

THENCE, in an easterly direction a distance of 100 feet across parcel 065.84-1-11 to a point, said point being a southerly corner of parcel 065.76-1-1, said point being a distance of 350 feet west of the westerly bounds of Main Street,

THENCE, in an easterly direction a distance of 350 feet along the northerly bounds of parcel 065.84-1-11 to a point, said point being on the westerly bounds of Main Street, said point also being 350 feet north of the northeasterly corner of parcel 065.84-1-1 as measured along the westerly bounds of Main Street;

THENCE, in a northerly direction across parcel 065.76-1-1 to a point, said point being on the northerly bounds of parcel 065.76-1-1; said point being on the southerly bounds of Alexander Drive, said point also being 220 feet west of the northwesterly corner of parcel 065.76-1-2 as measured along the southerly bounds of Alexander Drive;

THENCE, in a northerly direction across Alexander Drive to a point, said point being the southwest corner of parcel 065.68-1-1; said point also being on the north bounds of Alexander Drive;

THENCE, in a northerly direction along the west bounds of parcel 065.68-1-1 to a point, said point being the southwest corner of parcel 065.68-1-18.1; said point also being the northwest corner of parcel 065.68-1-1;

THENCE, in an easterly direction along the north bounds of parcel 065.68-1-1 to a point, said point being the northwest corner of parcel 065.68-1-2; said point also being the northeast corner of parcel 065.68-1-1;

THENCE, in an easterly direction along the north bounds of parcel 065.68-1-2 to a point, said point being the northwest corner of parcel 065.68-1-10; said point also being the northeast corner of parcel 065.68-1-2;

THENCE, in an easterly direction along the north bounds of parcel 065.68-1-10 to a point; said point also being on the south bounds of parcel 065.68-1-18.1, said point being 100 feet west of the westerly bounds of Stewart Drive;

THENCE, in a northerly direction a distance of approximately 200 feet to a point, said point

being on the south bounds of Cooley Heights;

THENCE, in a northerly direction perpendicular to and across Cooley Heights to a point on the north bounds of Cooley Heights;

THENCE, in a northerly direction to a point on the north bounds of parcel 065.68-1-18.1; said point also on the south bounds of parcel 066-1-2.2, said point also being 250 feet west of the southwesterly bounds of 065.60-1-2.1;

THENCE, in an easterly direction along the south bounds of parcel 066-1-2.2 to the southwest corner of parcel 065.60-1-2.1;

THENCE, in a northerly direction along the west bounds of parcel 065.60-1-2.1 to a point, said point being the southwest corner of parcel 065.60-1-1; said point also being the northwest corner of parcel 065.60-1-2.1;

THENCE, in a northerly direction along the west bounds of parcel 065.60-1-1 a distance of 50 feet to a point; said point also being the southern most corner of parcel 066-1-12.1;

THENCE, in a northeasterly direction along the north bounds of parcel 065.60-1-1 and across Main Street to a point, said point being approximately 350 feet south of the northwesterly corner of parcel 065.60-1-1 as measured along the easterly bounds of Main Street;

THENCE, in a southerly direction along the easterly bounds of Main Street to a point, said point being the southwest corner of parcel 066.61-1-1.12, said point also being a westerly corner of parcel 066.61-1-1.2;

THENCE, in an easterly direction along the northerly bounds of parcel 066.61-1-1.2 to a point, said point being on the southerly bounds of parcel 066.61-1-1.12, said point also being the northeast corner of parcel 066.61-1-1.2;

THENCE, in a southerly direction along the easterly bounds of parcel 066.61-1-1.2 to a point, said point being 200 feet north of the southeasterly corner of parcel 066.61-1-1.2;

THENCE, in a easterly direction parallel to and 200 feet north of the northerly bounds of Cole Road to a point, said point being 100 feet west of the centerline of the D & H Railroad tracks;

THENCE, in a northeasterly direction, parallel to and 100 feet west of the centerline of the D & H Railroad tracks a distance of 2000 feet to a point, said point being on the south bounds of parcel 066-2-26; said point also being on the north bounds of parcel 066.69-1-1;

THENCE, in an easterly direction along the south bounds of parcel 066-2-9.51 a distance of 1500 feet to a point, said point being a common corner of parcels 066-2-26 and 066-2-9.51;

THENCE, in a northeasterly direction along the southerly bounds of parcel 066-2-9.51 a distance of approximately 160 feet to a point, said point being a southerly corner of parcel 066-2-9.51, said

point also being on the northerly bounds of the D & H Railroad;

THENCE, in a southerly direction across the D & H Railroad a distance of approximately 100 feet to a point, said point being the northeasterly corner of parcel 066-2-25.1, said point being a northwesterly corner of parcel 066-2-24, said point also being on the southerly bounds of the D & H Railroad;

THENCE, in an easterly direction along the southerly bounds of the D & H Railroad and along the northerly bounds of parcels 066-2-24, 066-2-23, 066-2-22, 066-2-20.12, 066-2-20.11, 066-2-21.1 a distance of approximately 2700 feet to a point, said point being the northeast corner of parcel 066-2-21.1;

THENCE, in a southerly direction along the easterly bounds of parcel 066-2-21.1 to the southeast corner of parcel 066-2-21.1, said point also being the northeast corner of parcel 066-2-19;

THENCE, in a southerly direction along the easterly bounds of parcels 066-2-19, 066-2-18, 066-2-17, and 066-2-16 to a point, said point being the southeast corner of parcel 066-2-16, said point also being the southwest corner of parcel 066-2-15, said point also being on the northerly bounds of Quaker Street;

THENCE, in a westerly direction along the southerly bounds of parcel 066-2-16 to a point, said point being the southwest corner of parcel 066-2-16, said point also being on the westerly bounds of Cole Road and the northerly bounds of Quaker Street;

THENCE, in a westerly direction across Cole Road to a point, said point being the southeast corner of parcel 066-6-27, said point also being on the northerly bounds of Quaker Street;

THENCE, in a northwesterly direction along the westerly bounds of parcel 066-6-27 and 066-6-26 to a point, said point being the northwest corner of parcel 066-6-26, said point also being the northeast corner of parcel 066-6-29;

THENCE, in a westerly direction along the southerly bounds of parcel 066-6-25 to a point, said point being the southwest corner of parcel 066-6-25, said point also being the northwest corner of parcel 066-6-28;

THENCE, in a northwesterly direction along the easterly bounds of parcel 066-6-29 to a point, said point being the northeast corner of parcel 066-6-29, said point also being the northwest corner of parcel 066-6-24;

THENCE, in a westerly direction along the southerly bounds of parcel 066-6-23 to a point, said point being the southwest corner of parcel 066-6-23, said point also being the northwest corner of parcel 066-6-29;

THENCE, in a northerly direction along the westerly bounds of parcel 066-6-23 to a point, said point being the northwest corner of parcel 066-6-23, said point also being on the southerly bounds of parcel 066-6-19;

THENCE, in a westerly direction along the southerly bounds of parcels 066-6-19, 066-6-18, 066-6-16 to a point, said point being the southwest corner of parcel 066-6-16, said point also being on the westerly bounds of parcel 066-6-10.7;

THENCE, in a southerly direction along the easterly bounds of parcel 066-6-10.7 to a point, said point being the southeast corner of parcel 066-6-10.7, said point also being the northeast corner of parcel 066-6-1;

THENCE, in a westerly direction along the northerly bounds of parcel 066-6-1 to a point, said point being the southeast corner of parcel 066-6-10.4, said point also being the southwest corner of parcel 066-6-5.1;

THENCE, in a northerly direction along the easterly bounds of parcel 066-6-10.4 to a point, said point being the northeast corner of parcel 066-6-10.4, said point also being the southeast corner of parcel 066-6-4;

THENCE, in a southwesterly direction along the northerly bounds of parcel 066-6-10.4 to a point, said point being the northwest corner of parcel 066-6-10.4, said point also being the southwest corner of parcel 066-6-3;

THENCE, in a southerly direction along the westerly bounds of parcel 066-6-10.4 to a point, said point being the southwest corner of parcel 066-6-10.4, said point also being the southeast corner of parcel 066-6-2.1;

THENCE, in a westerly direction along the northerly bounds of parcel 066-6-1 to a point, said point being the southwest corner of parcel 066-6-10.7, said point also being a corner of parcel 066-6-1;

THENCE, in a westerly direction a distance of approximately 330 feet across parcel 066-6-1 to a point, said point being on the westerly bounds of parcel 066-6-1, said point being on the easterly bounds of parcel 066.61-2-1, said point being approximately 100 feet south of the southerly bounds of Cole Road as measured along the easterly bounds of 066.61-2-1;

THENCE, in a southerly direction along the easterly bounds of parcel 066.61-2-1 to a point, said point being the southeast corner of parcel 066.61-2-1, said point also being the northeast corner of parcel 066.77-1-1,

THENCE, in a westerly direction along the northerly bounds of parcels 066.77-1-1, 076.21-1-6, and 076.21-1-1.211 to a point, said point being the northwest corner of parcel 076.21-1-1.211, said point also being the northeast corner of parcel 076.21-1-1.4;

THENCE, in a southerly direction along the east bounds of parcels 076.21-1-1.4 and 076.21-1-1.221 to a point, said point also being the northwest corner of parcel 076.21-1-2;

THENCE, in an easterly direction along the north bounds of parcel 076.21-1-2 to a point; said point being the northeast corner of parcel 076.21-1-2, said point also being a corner on parcel 076.21-1-1.211;

THENCE, in a southerly direction along the east bounds of parcel 076.21-1-2 to a point; said point being the northwest corner of parcel 076.21-1-3, said point also being a corner on parcel 076.21-1-1.211;

THENCE, in an easterly direction along the north bounds of parcel 076.21-1-3 to a point; said point also being the northeast corner of parcel 076.21-1-3; said point also being the southeast corner of parcel 076.21-1-1.211;

THENCE, in a southerly direction along the east bounds of parcel 076.21-1-3 and to a point; said point being the northeast corner of parcel 076.21-1-4;

THENCE, in a southerly direction along the east bounds of parcel 076.21-1-3 a distance of 170 feet to a point;

THENCE, in a northeasterly direction through parcel 076.21-1-6 to a point, said point being the northwest corner of parcel 076.21-1-7, said point also being 450 feet north of the northerly bounds of East Shore Road as measured along the westerly bounds of parcel 076.21-1-7;

THENCE, in a northeasterly direction along the north bounds of parcel 076.21-1-7 to a point; said point being the northeast corner of parcel 076.21-1-7;

THENCE, in a northeasterly direction along the south bounds of parcel 066-6-48 to a point; said point being the northwest corner of parcel 066-6-42;

THENCE, in a northeasterly direction along the south bounds of parcel 066-6-48 to the northeast corner of parcel 066-6-42;

THENCE, in a southeasterly direction along the east bounds of parcel 066-6-42 to a point; said point being the northwest corner of parcel 066-6-39;

THENCE, in a northeasterly direction along the north bounds of parcel 066-6-39 to a point, said point being the northeast corner of parcel 066-6-39;

THENCE, in a northeasterly direction through parcel 066-6-38 a distance of approximately 350 feet to a point on the east bounds of parcel 066-6-38; said point being on the west bounds of parcel 066-6-36;

THENCE, in a northeasterly direction through parcel 066-6-36 a distance of approximately 350 feet to a point on the east bounds of parcel 066-6-36; said point being the northwest corner of

parcel 066-6-35;

THENCE, in a northeasterly direction along the north bounds of parcel 066-5-35 to a point; said point being the northeast corner of parcel 066-6-35; said point also being the northwest corner of parcel 066-6-34;

THENCE, in a northeasterly direction along the north bounds of parcel 066-6-34 to a point; said point being the northeast corner of parcel 066-6-34;

THENCE, in a southerly direction along the east bounds of parcel 066-6-34 to a point; said point being the northwest corner of parcel 066-6-33;

THENCE, in a northeasterly direction along the north bounds of parcel 066-6-33 to a point; said point being the northeast corner of parcel 066-6-33;

THENCE, in a southerly direction along the east bounds of parcel 066-6-33 to a point, said point being the southeast corner of parcel 066-6-33; said point also being on the north bounds of Route 7;

THENCE, in an easterly direction across Route 7 to a point, said point being the northwest corner of parcel 076-1-1, said point also being the northeast corner of parcel 076-1-2, said point also being on the south bounds of Route 7;

THENCE, in a southerly direction along the west bounds of parcel 076-1-1 to a point; said point being the southwest corner of parcel 076-1-1, said point also being the southeast corner of parcel 076-1-2;

THENCE, in a westerly direction along the southerly bounds of parcel 076-1-2 to a point; said point being the southwest corner of parcel 076-1-2; said point also being on the easterly bounds of Chadwick Road;

THENCE, in a westerly direction across Chadwick Road to a point; said point also being on the west bounds of Chadwick Road, said point also being the southeast corner of parcel 076-1-3;

THENCE, in a southwesterly direction through parcel 076-1-5.111 a distance of 650 feet to a point; said point being the northwest corner of parcel 076-1-4.111;

THENCE, in a westerly direction through parcel 076-1-5.111 to a point; said point being the southeast corner of parcel 076-1-5.122;

THENCE, in a southwesterly direction along the southerly bounds of parcel 076-1-5.122 to a point, said point being the southeast corner of parcel 076-1-5.121; said point also being the southwest corner of parcel 076-1-5.122;

THENCE, in a southwesterly direction along the southerly bounds of parcel 076-1-5.121 to a point; said point also being the southwest corner of parcel 076-1-5.121;

THENCE, in a northwesterly direction along the west bounds of parcel 076-1-5.121 to a point, said point being the northwest corner of parcel 076-1-5.121; said point also being on the southerly bounds of Route 7;

THENCE, in a northwesterly direction across Route 7 to a point, said point being on the northerly bounds of Route 7, said point also being 450 feet east of the southeast corner of parcel 076.05-1-9;

THENCE, in a southwesterly direction along the northerly bounds of Route 7 a distance of 450 feet to the southeast corner of parcel 076.05-1-9;

THENCE, in a southwesterly direction along the northerly bounds of Route 7 and the southerly bounds of parcels 076.05-1-9, 076.05-1-10, 076.05-1-11, 076.05-1-12, 075.12-2-12 to a point; said point being the southwest corner of parcel 075.12-2-12, said point also being the southeast corner of parcel 075.12-2-11;

THENCE, in a southeasterly direction across Route 7 to a point, said point being the northeast corner of parcel 075.12-2-13; said point also being on the southerly bounds of Route 7;

THENCE, in a southeasterly direction along the east bounds of parcel 075.12-2-13 to a point, said point being the southeast corner of parcel 075.12-2-13, said point also being on the northerly bounds of the Schoharie Turnpike;

THENCE, in a southwesterly direction across the Schoharie Turnpike a distance of 250 feet to a point; said point being the northeast corner of parcel 075.12-3-1;

THENCE, in a southerly direction along the east bounds of parcel 075.12-3-1 to a point; said point being the southeast corner of parcel 075.12-3-1;

THENCE, in a westerly direction along the south bounds of parcel 075.12-3-1 to the southeast corner of parcel 075.12-3-2; said point also being the southwest corner of parcel 075.12-3-1;

THENCE, in a westerly direction along the south bounds of parcel 075.12-3-2 to a point; said point also being the northeast corner of parcel 075.12-3-6;

THENCE, in a southerly direction along the east bounds of parcels 075.12-3-6 and 075.12-3-7 to a point, said point being the southeast corner of parcel 075.12-3-7;

THENCE, in a westerly direction along the south bounds of parcel 075.12-3-7 to a point; said point being the southwest corner of parcel 075.12-3-7, said point also being a corner on parcel 076-1-14.2;

THENCE, in a southerly direction through parcel 076.1-14.2 a distance of 150 feet to a point, said point being 100 feet east of the southeast corner of parcel 075.16-2-16.1;

THENCE, in a westerly direction through parcel 076-1-14.2 to a point, said point being the southeast corner of parcel 075.16-2-16.1; said point also being on the west bounds of parcel 076-1-14.2;

THENCE, in a westerly direction along the south bounds of parcel 075.16-2-16.1 to a point; said point being the southwest corner of parcel 075.16-2-16.1;

THENCE, in a westerly direction through parcel 075.16-2-15.11 a distance of 50 feet to a point, said point being 130 feet south of the southerly bounds of parcel 075.16-2-17.1;

THENCE, in a northerly direction through parcel 075.16-2-15.11 a distance of 130 feet to a point, said point being on the south bounds of parcel 075.16-2-17.1; said point being on the north bounds of parcel 075.16-2-15.11, said point also being 150 feet east of the easterly bounds of Darby Hill Road;

THENCE, in a westerly direction along the south bounds of parcel 075.16-2-17.1 to a point, said point being the southwest corner of parcel 075.16-2-17.1, said point also being on the east bounds of Darby Hill Road;

THENCE, in a westerly direction across Darby Hill Road to a point, said point being on the east bounds of parcel 075.16-2-13.221; said point being on the west bounds of Darby Hill Road, said point also being 100 feet south of the northeast corner of parcel 075.16-2-13.221;

THENCE, in a northerly direction along the west bounds of Darby Hill Road to a point, said point being the northeast corner of parcel 075.16-2-13.221; said point also being on the south bounds of parcel 075.16-1-11;

THENCE, in a westerly direction along the north bounds of parcel 075.16-2-13.221 to a point; said point also being the northwest corner of parcel 075.16-2-13.221, said point also being the southwest corner of parcel 075.16-2-2;

THENCE, in a southeasterly direction along the east bounds of parcel 075.16-1-10.11 to a point, said point being the southwest corner of parcel 075.16-2-13.12; said point also being the southeast corner of parcel 075.16-1-10.11;

THENCE, in a southwesterly direction along the northerly bounds of I-88 and the south bounds of parcels 075.16-1-10.11, 075.16-1-7.1, 075.16-1-6.1, 075-3-15.11, 075-3-14.1, 075-3-15.2, 075-3-18.1 to a point, said point being on the southerly bounds of Quaker Lane, said point also being the southwest corner of parcel 075-3-18.1, said point also being the point and place of beginning.

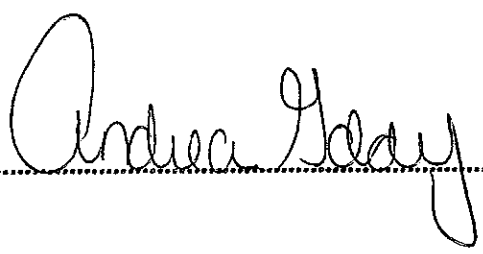
State of New York, } ss.:
AND COUNTY OF SCHENECTADY }

Andrea Goldy

.....
of the City of Schenectady, being duly sworn, says
that he/she is.....
Principal Clerk

in the office of the Daily Gazette Co., published in
the City of Schenectady and that the
notice/advertisement, of which the annexed is a
printed copy, has been regularly published in The
Daily Gazette and/or Sunday Gazette as follows:

1 Insertion:
April 12, 1999
AD#146633


.....

Sworn to before me this..... 22ndday }
of..... April 19 99 }