

**TOWN OF BRUNSWICK
REGULAR TOWN BOARD MEETING
APRIL 14, 2011, 7:00 P.M.
TOWN HALL**

Board Members Present: Supervisor Herrington, Councilman Poletto, and Councilman Salvi Councilman Casale and Councilman Sullivan.

Board Members Absent: None.

Also Present: Town Attorney, Thomas Cioffi, and Town Clerk, Susan Quest-Sherman.

The Supervisor called the meeting to order at 7:06 p.m.

All joined in with the salute to the flag.

VISITORS WHO WISH TO SPEAK:

Mr. Harry Efstathiadis, Hickory Ct., is having a problem with noise, smells and dusty conditions caused by the Gallivan Corporation. There is noise all night long. The residents need help and some action needs to take place. He would like restrictions on hours of operation. The mulch piles are getting higher. He pays significant taxes for his home and houses in the neighborhood are going up for sale. He wishes everyone a happy election year.

Councilman Casale has received many calls about the situation.

Supervisor Herrington stated that there is a memorandum of agreement.

Mrs. Marie Shongar, Lindsay Dr., has decided to move to get away from the situation. It isn't fair to the residents. She would like the operation shut down. She feels the Town is corrupt and hopes someone will run for office.

BUSINESS MEETING:

MINUTES OF THE PREVIOUS MEETING:

Councilman Poletto made a motion to accept the Minutes of the previous meetings, seconded by Councilman Casale. Approved.

REPORTS:

Town Clerk: Susan Quest-Sherman

The Town Clerk submitted a written report for the month of March, a check for \$9,305.88 will be remitted to the Supervisor's Office. A motion to accept the Town Clerk's Report was made by Councilman Salvi, seconded by Councilman Poletto. Approved. A copy of the report is on file in the Town Clerk's Office.

Highway Report: Doug Eddy

Mr. Eddy read his report for the month of March. Councilman Poletto made a motion to accept the report seconded by Councilman Salvi. Approved. A copy of the report is on file in the Town Clerk's Office.

Water & Sewer Report: Doug Eddy

Mr. Eddy read his report for the month of March. Councilman Salvi made a motion to accept the report seconded by Councilman Casale. Approved. A copy of the report is on file in the Town Clerk's office.

Superintendent of Utilities & Inspection: John Krieger

Mr. Krieger was absent but had submitted a March monthly report \$5,287.00 will be remitted to the Supervisor's Office. Motion to accept the Superintendent's report was made by Councilman Salvi, seconded by Councilman Sullivan. Approved. A copy of the report is on file in the Town Clerk's Office.

Town Attorney: Thomas Cioffi

Mr. Cioffi gave his report for the month of March. Other than routine matters they have closed on the Wal-Mart pump station. Motion to accept Mr. Cioffi's report was made by Councilman Salvi, seconded by Councilman Poletto. Approved.

Town Historian: Sharon Zankel

Mrs. Zankel read her report for the month of March. Motion to accept the report was made by Supervisor Herrington and seconded by Councilman Poletto. Approved. A copy of the written report is on file in the Town Clerk's Office.

Recycling Coordinator: Thomas Engster

Mr. Engster presented his report for the month of March. Motion to accept Mr. Engster's report was made by Councilman Poletto, seconded by Councilman Salvi. Approved. A copy of the report is on file in the Town Clerk's Office.

Youth Commissioner: Councilman Salvi.

Councilman Salvi thanked Mr. Eddy for his help getting the sports fields ready. Opening day ceremonies start this weekend. Councilman Sullivan made a motion to accept the report seconded by Councilman Poletto. Approved.

Brunswick Community Library: Mr. Paul Engster

Mr. Engster gave the Library report for the month of March. Councilman Poletto made a motion to approve the report seconded by Councilman Casale. Approved. A copy of the report is on file in the Town Clerk's Office.

RESOLUTIONS:

Resolution No. 31 Resolution Appointing Member of Board of Assessment Review. The foregoing Resolution offered by Councilman Salvi and seconded by Councilman Casale was duly put to a roll call vote as follows: Councilman Salvi, Voting Aye; Councilman Casale, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Poletto, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 32 Resolution Awarding Bid – Heavy Duty Tandem Axle Dump Truck. The foregoing Resolution offered by Councilman Sullivan and seconded by Supervisor Herrington was put to a roll call vote as follows: Councilman Salvi, Voting Aye; Councilman Casale, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Poletto, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 33 Resolution Directing Coordinated Environmental Review Pursuant to State Environmental Quality Review Act on Brunswick Square Planned Development District Amendment. The forgoing Resolution offered by Councilman Poletto and seconded by Councilman Salvi was duly put to a roll call vote as follows: Councilman Casale, Voting Aye; Councilman Poletto, Voting Aye; Councilman Salvi, Voting Aye; Councilman Sullivan, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Councilman Casale mentioned that he and Councilman Sullivan had a meeting with the Fire Departments to do an ISO survey to help reduce insurance costs to homeowners.

Voice Resolution Supervisor Herrington made a motion to Accept Bid for a Tractor with a Boom Mower including a trade-in in the net amount of 89,891.00. The motion was seconded by Councilman Sullivan. The foregoing Resolution was put to a roll call vote as follows: Councilman Casale, Voting Aye; Councilman Poletto, Voting Aye; Councilman Salvi, Voting Aye; Councilman Sullivan, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

CORRESPONDENCE:

An email was sent to the Supervisor Herrington from Michael Pietro Jr., complimenting the Assessment department for their help.

A thank you note was received from Eileen Molloy thanking him for the opportunity to work with the Town.

OLD BUSINESS:

Mr. Gilchrist explained the SEQRA process as it regards to the Brunswick Square Planned Development Amendment. He has drafted a Local Law to update the Zoning Map to reflect the approval of the Berkshire Properties Planned Development District.

Councilman Poletto introduced Local Law No.1 for the Year 2011 – A Local Law to Update the Zoning Map of the Town of Brunswick.

A Public Hearing was set for May 12, 2011 at 6:30 p.m.

Mr. Gilchrist reviewed the Oakwood Properties project. There was a memorandum of agreement issued in October 2010. Applications were submitted to amend site plan approval on the original project, a site plan application for the former Hasslinger Property and a petition to rezone. Lead Agency was undertaken by the Town Board. Engineering and Noise consultants retained by the Town have deemed the Application to be complete and a Public Hearing can be scheduled.

Other involved agencies have included DEC, Army Corps of Engineers, The State Historic Preservation Office. In December 2010 the State Historic Office issued a letter stating that no historic or cultural resources impacted by the project. The Army Corps has resolved a compliance issue certain areas will be restored and others restricted by deed. A nation wide permit has been issued and DEC has issued a water quality certification.

Mr. Laberge reviewed the technical issues and believes the application is ready for Public Hearing.

Mr. Gilchrist suggested that the Board consider having a Joint Public Hearing with the Planning Board.

A Public Hearing was set for Tuesday May 3, 2011 at 7:00 p.m.

NEW BUSINESS:

None.

WARRANTS: Warrants No. 3181101 through 3181112, No. 110296 through 110306, No. 4011101 through 4011111, No. 110307 through 110423, and No. 4151101 through 4151111 were presented. Councilman Poletto made a motion to approve the warrants seconded by Councilman Salvi. Approved.

FURTHER COMMENTS BY VISITORS:

Mr. Harry Efstathiadis would like the Board to make a strong statement that there will be enforcement of hours of operation.

Mr. Mike Shongar has been awaking at 4:30 a.m. by the noise from the Gallivan Corporation. The noise has to stop. This has been going on for 4 years.

Mr. Harry Efstathiadis would like the Board to make a statement.

Mr. Cioffi advised the Board that a statement would suggest that the Board has prejudged the application.

Councilman Sullivan understands the problem but will not make a statement.

Councilman Salvi explained that a statement would indicate a prejudgment, a Public Hearing has to be held.

Mr. Shongar doesn't believe that hours of operation will be adhered to. He would like the operation shut down.

Mr. Harry Efstathiadis believes that there should be a noise ordinance in the Town.

Mr. Gilchrist explained that enforcement issues are handled by the Building Department.

ADJOURNMENT:

Councilman Poletto made a motion to adjourn the meeting, seconded by Councilman Salvi. Approved. The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Susan Quest-Sherman
Town Clerk

Note: An audio compact disc of this meeting is available in the Town Clerk's Office.