

**TOWN OF BRUNSWICK
REGULAR TOWN BOARD MEETING
SEPTEMBER 8, 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 7:00 p.m.

All joined in with the salute to the flag.

VISITORS WHO WISH TO SPEAK:

Kathrine Capalbo, Wayne St., from the Highlight Acting Troop came before the Board asking for assistance in acquiring the Historic Property at 543 - 545 NY 2. The organization would like the Town to ask the County for the property and then in turn, turn it over to her organization.

Mrs. Zankel, Town Historian gave an overview of the Building's Past. The Building was built in 1884 and condemned 4 years ago.

Mr. Cioffi mentioned that the County Legislature could pass a resolution to give the property to the Town but these resolutions usually have a reversionary clause meaning that the Town could not turn the property over to someone else. He suggested that the group ask the County directly.

Supervisor Herrington asked about the Auction and whether there was a minimum bid.

Mr. Cioffi thought that the County could possibly reject a bid. The Town is not allowed to give away Town Assets without fair and reasonable compensation.

Mr. Kreiger was asked about the condition of the building. He stated that an extensive report was generated 4 years ago. The roof leaked and there was a sump pump pumping water out of the seconded floor but since then the electric has been turned off. There also were some structural problems. Mr. Kreiger will re-visit the site to check on the conditions.

Supervisor Herrington would like to see the building preserved.

Mr. Peter Conrad has a personal connection to the Building and would like to see the Building preserved.

Mrs. Deidre Wexcler, Sanford Ave., spoke of the flooding in the Town. Her home has been affected by the sewer backing up at her home. The manhole cover comes up and raw sewage

is released into the street and may be reaching the creek. The sewage runs into her neighbor's house. She has a drop valve in her home but would like to see some resolution to the situation which has been going on for 5 to 6 years.

Councilman Poleto mentioned the option of smoking the system. This will find any illegal connections.

Mr. Kestner will look into smoking the system. The smoke testing will show if storm water from sump pumps and rain gutters are getting into the system. Residents and the County will need to be notified. It is a violation to have storm water going into the sanitary sewer system.

Supervisor Herrington will have something put into the Newsletter.

Kathy Betzinger, Valley View Dr., asked if there was a separate storm water system.

Councilman Poleto explained that in newer subdivisions there are separate storm water systems. In older subdivisions even in Troy, all the water went through the sewers. This is now a problem for many municipalities where the sewer system just can't handle the flow.

Eleanor Montiel, McChesney Ave., asked if the Town would be willing to do a land swap. She lives on a curve and would like to build a garage on the straight part of the road. She has had her property surveyed and has discovered that her leach field isn't on her property.

Councilman Poleto mentioned that the property in question is forever green.

Supervisor Herrington believes that there are deed restrictions.

Mr. Cioffi stated that there are probably covenants on the property, and even then, there is the problem that the Town cannot gift assets without fair market consideration.

Councilman Poleto mentioned that this issue has come up with regards to paper roads.

Supervisor Herrington stated that the site was looked at before when the Town wanted to build sports fields.

BUSINESS MEETING:

MINUTES OF THE PREVIOUS MEETING:

Councilman Poleto a motion to accept the Minutes of the previous meetings, seconded by Councilman Sullivan. Approved.

REPORTS:

Town Clerk: Susan Quest-Sherman

The Town Clerk submitted a written report for the month of August, a check for \$7,180.82 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 Sullivan. 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 August. Councilman Sullivan 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.

Mr. Eddy has received a call from a resident that the School will be charging the Sports Clubs for use of the Sports Fields.

Councilman Salvi is concerned about the charges as the Town has allowed the School to use the Town fields.

Supervisor Herrington has been speaking with Superintendent and the problem is with the use of the concession stand and the opening of the building for rest rooms. This is a union issue.

Councilman Salvi offered to bring in Porta Potties.

Supervisor Herrington stated that Hoosick Valley has offered the use of their fields without charge.

Councilman Salvi had hoped that everyone could work together after Irene.

Water & Sewer Report: Doug Eddy

Mr. Eddy read his report for the month of August. He thanked Bill Bradley from the City of Troy for his assistance with the water break. Councilman Salvi a motion to accept the report seconded by Supervisor Herrington. Approved. A copy of the report is on file in the Town Clerk's office.

Superintendent of Utilities & Inspection: John Krieger

Mr. Krieger presented his report for the month of August. A check for \$2,782.00 will be remitted to the Supervisor's Office. Mr. Kreiger recommended to the Board that a letter should be sent to Brunswick Meadows requiring them to extend their performance bond or issue a stop work order.

Councilman Poletto made a motion to direct the Superintendent of Utilities & Inspections to inform the Brunswick Meadows to extend their performance bond, seconded by Councilman Sullivan. Approved.

Motion to accept the Superintendent's report was made by Councilman Salvi, seconded by Councilman Casale. 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 August. Aside from routine matters Mr. Cioffi has continued to work on Contract Negotiations with the Union. Nothing was resolved with the mediator. He is also working with the Assessor on out standing tax cases. Motion to accept Mr. Cioffi's report was made by Councilman Poletto, seconded by Councilman Sullivan. Approved.

Town Historian: Sharon Zankel

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

Recycling Coordinator: Thomas Engster

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

Youth Commissioner: Councilman Salvi.

Councilman Salvi mentioned that many contractors have left other jobs to help get the fields repaired after Irene. The Bulldogs have lost a lot because of the storm and flooding, their concession stand was fully stocked. Councilman Poletto made a motion to accept the report seconded by Councilman Sullivan. Approved.

Brunswick Community Library: Bill Bradley

Mr. Bradley gave the Library's Report for the month of August. A motion was made to accept the report by Councilman Sullivan and seconded by Councilman Casale. Approved.

RESOLUTIONS:

Resolution No. 65 Resolution Approving and Authorizing Execution of Stipulation of Settlement in Connection with Tax Assessment Review Proceeding. The foregoing Resolution offered by Councilman Poletto and seconded by Councilman Sullivan 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. 66 Resolution for Application by the Town of Brunswick For a Grant Under the Greenway Grant Program for a Project Entitled "Comprehensive Plan Update". The foregoing Resolution offered by Supervisor Herrington and seconded by Councilman Casale 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. 67 Resolution Approving and Accepting Request for Designation of Town of Brunswick as a Greenway Community. The forgoing Resolution offered by Councilman Poletto and seconded by Councilman Sullivan 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.

Councilman Poletto introduced Local Law No. 2 for the Year 2011 entitled "A Local Law Updating the Town of Brunswick Zoning Map.

A Public Hearing on Local Law No.2 for the Year 2011 was set for Thursday October 13, 2011 at 6:30 p.m. at the Town Offices.

CORRESPONDENCE

Two Thank you Notes were received from Brian Buchanan thanking the Town for the support of his lemonade stand.

OLD BUSINESS:

Councilman Poletto felt that the Concert Series was a success. The field does need some work for better drainage.

NEW BUSINESS:

None.

WARRANTS: Warrants No. 110973 through 110976, No. 8191101 through 8191112, No. 110977 through 110989, No. 9021101 through 9021111, and No. 110990 through 111068 were presented. Councilman Poletto made a motion to approve the warrants except for No. 111046 seconded by Supervisor Herrington. Approved. Councilman Poletto made a motion to approve Warrant No. 111046 seconded by Supervisor Herrington and put to a roll call vote as follows: Councilman Casale, Abstaining; Councilman Poletto, Voting Aye; Councilman Salvi, Voting Aye; Councilman Sullivan, Voting Aye; Supervisor Herrington, Voting Aye. The warrants were thereupon approved.

FURTHER COMMENTS BY VISITORS:

Kathy Betzinger was concerned that the Zoning Board Minutes are not on the website.

ADJOURNMENT:

Councilman Poletto made a motion to adjourn the meeting, seconded by Councilman Sullivan. Approved. The meeting adjourned at 8:35 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.