

**TOWN OF BRUNSWICK
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 2012, 7:00 P.M.
TOWN HALL**

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

Board Members Absent: Councilman Poletto.

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

The Supervisor called the meeting to order at 7:10 p.m.

All joined in with the salute to the flag.

VISITORS WHO WISH TO SPEAK:

None.

BUSINESS MEETING:

MINUTES OF THE PREVIOUS MEETING:

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

REPORTS:

Town Clerk: Susan Quest-Sherman

The Town Clerk submitted a written report for the month of August a check for \$6,403.27 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 Casale. Approved. A copy of the report is on file in the Town Clerk's Office.

Highway Report: Doug Eddy

Mr. Eddy was read his report for the month of August. A motion to accept the report was made by Councilman Casale and seconded by Supervisor Herrington. Approved. A copy of the written report is on file in the Town Clerk's Office.

Mr. Eddy asked about the progress on the Salt Shed bid.

Water & Sewer Report: Bill Bradley

Mr. Bradley presented his monthly report for the month of August. A motion to accept the report was made by Councilman Salvi, seconded by Councilman Casale. Approved. A copy of the written 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; \$2,295.50 will be remitted to the Supervisor's Office. Motion to accept Mr. Krieger's report was made by Councilman Sullivan, seconded by Supervisor Herrington. Approved. A copy of the written report is on file in the Town Clerk's Office.

Town Attorney: Thomas Cioffi

Mr. Cioffi gave his report for the month of August, he has been working on personnel issues, has prepared a private water supply contract. He continues to work with the Assessor on outstanding tax issues. Motion to accept Mr. Cioffi's report was made by Supervisor Herrington, seconded by Councilman Salvi. Approved.

Town Historian: Sharon Zankel

Mrs. Zankel was absent but had submitted a written report for the month of August. Motion to accept the report was made by Supervisor Herrington and seconded by Councilman Casale. 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 August. Motion to accept Mr. Engster's report was made by Councilman Casale, seconded by Councilman Sullivan. Approved. A copy of the report is on file in the Town Clerk's Office.

Library Report: Julie Zelman

Ms. Zelman presented the Library Report for the month of August. Motion to accept the report was made by Councilman Salvi and seconded by Supervisor Herrington. Approved. A copy of the written report is on file in the Town Clerk's Office.

RESOLUTIONS:

Resolution No. 67 Resolution to Accept the Water and Sewer Maintenance Roll for the Period of 1/01/2012 Through 6/30/2012 August 2012, Water and Sewer Roll. The foregoing Resolution offered by Supervisor Herrington 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, Absent; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 68 Resolution Approving and Authorizing Supervisor to Execute Water Purchase and Supply Agreement. The foregoing Resolution offered by Supervisor Herrington and seconded by Councilman Salvi was duly put to a roll call vote as follows: Councilman Salvi, Voting Aye; Councilman Casale, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Poletto, Absent; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 69 Resolution Approving and Authorizing Execution of Stipulation of Settlement in Connection with Tax Assessment Review Proceeding. The foregoing Resolution offered by Councilman Salvi 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, Absent; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

CORRESPONDENCE

The Town Historian received a letter from Gail McChesney Baker appreciating a tribute in the Summer 2012 Artifacts.

Supervisor Herrington received a letter from Bonnie Ferguson praising the Beach and Staff.

Councilman Salvi made a motion to approve Local Law No. 1 for the Year 2012, A Local Law Updating the Town Zoning Map, seconded by Supervisor Herrington. The foregoing
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motion was put to a roll call vote as follows: Councilman Salvi, Voting Aye; Councilman Casale, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Poletto, Absent; Supervisor Herrington, Voting Aye. The foregoing Local Law was approved.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

WARRANTS: Warrants No. 08141201 through 08141204, No. 8171201 through 8141211, No. 8211201 through 8211202, No. 08281201 through 08281202, No. 121032 through 121041, No. 8311201 through 8311212, No. 121042 through 121159, and 09141201 through 09141211 were presented. Councilman Salvi made a motion to approve the warrants, seconded by Supervisor Herrington. Approved.

FURTHER COMMENTS BY VISITORS:

Mr. Jim Tkaick, Brunswick Rd., asked about PDDs. He wanted to know if a PDD would revert back to its original zoning.

Mr. Gilchrist stated that there are no sunset provisions in the current PDD. If they choose a different use it would have to come back in to amended the PDD or ask for the property to revert to the original zoning.

Mr. Tkaick asked about an update on the Gallivan litigation.

Mr. Gilchrist explained that the notices of violations were upheld by the Zoning Board. This was litigated in Supreme Court which upheld the violations. This was appealed to the Appellant Court which has yet to issue a decision but did grant a stay but placed restrictions on hours of operation. The Gallivan's were found to be in violation of the restrictions and they asked the court to modify the order. The Court upheld the decision to limit hours and days of operation. The case will probably be argued later this year.

ADJOURNMENT:

Councilman Salvi made a motion to adjourn the meeting, seconded by Councilman Sullivan. Approved. The meeting adjourned at 7:40 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.