

**TOWN OF BRUNSWICK
REGULAR TOWN BOARD MEETING
FEBRUARY 11, 2010, 7:00 P.M.
TOWN HALL**

Board Members Present: Supervisor Herrington, Councilman Poletto, Councilman Salvi, and Councilman Sullivan. Councilman Casale arrived at 7:30.

Board Members Absent: None.

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

The Supervisor called the meeting to order at 7:05 p.m.

All joined in with the salute to the flag.

VISITORS WHO WISH TO SPEAK:

Mr. Bernie Barber, NY 7, presented pictures of the living conditions he has had to put up with for the last seven years. He has suffered health problems and feels that the neighbor has violations. They are violating their site plan. There is no legal roadway, no locked gate and they are stacking logs 20 feet high. They have no bathroom facilities. He does not want the business charged with violations he wants them out of there.

Mr. Cioffi explained that Mr. Kreiger has to look into the violations.

Councilman Poletto will have Mr. Kreiger investigate for violations, but stated that the Zoning Board approved the operation. The Town can't just shut the operation down and Mr. Barber should seek legal advice and take the Town to Court.

Mr. Barber doesn't want to sue the Town. He believes his property is unusable and unlivable and he feels he is being discriminated.

Ms. Kathy Shea, Mountainview Ave., came before the Board because of an ongoing water problem which is getting worse. This is a safety issue. There is no drainage.

Mr. Eddy stated that the problem will be very hard to address. There are sewer, water and gas lines in the way. The water is coming down Mountainview and Sanford Ave. He would like to consult with the County and the County Engineer.

Mr. Shea will also contact the County Engineer.

Mr. Barber stated that he is not satisfied with the answers he has received from the Town. The other neighbors have buffers around their property. He feels he is being discriminated against.

Councilman Poletto explained that the project went through the process and Mr. Kreiger will look into violations.

Mr. Barber stated that nothing has been sold on the property. He would like town record corrected that Mr. Mayer did not attend any of the meetings.

Mr. Cioffi explained that they went through the process.

BUSINESS MEETING:

MINUTES OF THE PREVIOUS MEETING:

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

REPORTS:

Town Clerk: Susan Quest-Sherman

The Town Clerk submitted a written report for the month of January. A check for \$5,994.06 will be remitted to the Supervisor's Office. The Department of Ag. and Markets are planning to turn Dog Licensing over to the Towns this will increase costs to the Town. 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 presented his report for the month of January. A motion to accept the report was made by Councilman Salvi and seconded by Councilman Casale. A copy of the written report is on file in the Town Clerk's Office.

Water & Sewer Report: Doug Eddy

Mr. Eddy presented his monthly report. A motion to accept the report was made by Supervisor Herrington, seconded by Councilman Poletto. 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 January \$691.65 will be remitted to the Supervisor's Office. Motion to accept Mr. Krieger'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 January. Aside from routine matters Mr. Cioffi has continued to work on the Water Contract with Poestenkill. He has been working on the turnover of the Wal-Mart Pump Station. He has also been working on some Personnel issues with Mr. Clickner and there have been issues with the FEMA monies that the Town has received. Motion to accept Mr. Cioffi's report was made by Councilman Casale, seconded by Councilman Salvi. Approved.

Town Historian: Sharon Zankel

Mrs. Zankel read her report for the month of January. Motion to accept the report was made by Councilman Poletto and seconded by Supervisor Herrington. 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 January. 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.

Brunswick Community Library: Judy Brown

Mrs. Brown presented the Library report for the month of January. A motion to accept the Library'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.

Family Community Center: Bill DeFilippis

Mr. DeFilippis was absent but had submitted a written report. Councilman Poletto made a motion to accept the report as submitted seconded by Councilman Salvi. Approved. A copy of the report is on file in the Town Clerk's Office.

RESOLUTIONS:

Resolution No. 25 Resolution Authorizing Supervisor to Execute an Agreement with Troy Veterinary Hospital. The foregoing Resolution offered by Councilman Salvi and seconded by Councilman Poletto 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. 26 Resolution Awarding Bid – Asphalt Paver. The foregoing Resolution offered by Councilman Poletto 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, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 27 Resolution Appointing Members to Board of Assessment Review of the Town of Brunswick. 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, Abstaining; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 28 Resolution Directing Coordinated Environmental Review Pursuant to State Environmental Quality Review Act of Oakwood Property Management, LLC Planned Development District.

Mr. Gilchrist explained that additional information has been received from the Applicant and this is the next step in the process - coordinating the SEQRA process.

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.

CORRESPONDENCE:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

Supervisor Herrington stated that the Averill Park School District is considering the closing of the George Washington School. He will look into the situation to get any more information.

WARRANTS: Warrants No. 1221001 through 1221013, No. 1000085 through 100090, No. 2051001 through 2051012 and No. 100091 through 100185 were presented. Councilman Poletto made a motion to approve the warrants seconded by Supervisor Herrington. Approved.

FURTHER COMMENTS BY VISITORS:

Mr. Bernie Barber, repeated that he had no hard feelings for the Town Board. The Town Zoning Board and the Planning Board told Mr. Barber to come to the Town Board Meetings with pictures.

Supervisor Herrington explained that there is a Town Board, a Zoning Board, and a Planning Board there are laws, there was an application, Public Hearings and approvals. The Town can't then just shut them down. The Town would open itself up to a law suit. The Supervisor has spoken to the Business which moved their operation to the other side of the Lot. Since then Mr. Barber put up signs and now this has become a neighbor war.

Mr. Barber asked why the Zoning has changed from Agricultural to Commercial.

Mr. Cioffi stated that the zoning hasn't changed a use variance was approved. Mr. Barber should look at the minutes of the meetings. If Mr. Barber is unhappy he has two alternatives he can appeal the ruling in Court, or he can ask the Zoning Board to reconsider their decision. This must be done by a unanimous decision. The Planning Board then approved the site Plan. The Town just can't shut them down.

ADJOURNMENT:

Councilman Poletto made a motion to adjourn the meeting, seconded by Councilman Salvi. Approved. The meeting adjourned at 8:20 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.