

**TOWN OF BRUNSWICK
REGULAR TOWN BOARD MEETING
OCTOBER 12, 2017, 7:00 P.M.
TOWN HALL**

Board Members Present: Councilman Sullivan, Councilman Christian, Councilman Casale and Councilman Balistreri.

Board Members Absent: Supervisor Herrington

Also Present: Deputy Supervisor, Patrick Poletto, Town Attorney, Thomas Cioffi and Town Clerk, William J. Lewis.

Deputy Supervisor Poletto called the meeting to order at 7:00 p.m.

All joined in with the salute to the flag.

VISITORS WHO WISH TO SPEAK:

Ed Wade, 10 Meadowview Dr., Eagle Mills, asked if there were any new plans by the Town board regarding the proposed Local Law #2 which had been tabled following a public hearing in late August. Councilman Sullivan answered that it had not been discussed further and no plans were in the works at this time. He also asked if the reference in the proposed town law to the Federal Civil Rights Act was something included in the Public Officers Law or if it was specific to ours. Mr. Cioffi stated that it was not specifically mentioned in Public Officers Law however, he had seen it included in other town laws and they had felt it would be a good idea to include it. Mr. Wade next asked if the Tentative Town Budget for 2018 would be posted on the website and if any monies were included to address reimbursement of legal fees which might occur if the proposed local law were to be approved. Mr. Poletto answered that the budget will be posted and that while the town does have insurance which covers certain issues, there were no additional funds allocated for possible legal fees that could arise from an indemnification law.

Kathy Betzinger, 1 Valley View Drive, asked that since the proposed Local Law #2 had been tabled, and there were no future plans at this point, would the Town Board, right now, make a yes or no vote on the proposed law. Mr. Poletto answered that it was not on the agenda and could not be acted on. She then asked if it were possible, that after the election, the proposed law could be passed. Councilman Sullivan answered that this could be revisited at any time even years from now. But again, since it was tabled, after considering the input from residents at the public hearing, there have not been any discussions at all on this matter. Ms. Betzinger then wished to ask each board member if they had been asked to testify before the Federal Grand Jury. All members declined to answer.

Jim Tkacik, 387 Brunswick Road, had several issues with the Town website. He stated that the listings for minutes were confusing in that they were not labeled properly or in the wrong category and that there were a number of Town Board and Public Hearing minutes missing. Also a general search or query of records wasn't available, requiring a person to open each individual document to determine if it contained any information on a specific item or proceeding they were interested in which could have occurred over many meetings. Very time consuming, inefficient, and he considers this function a very basic tool for any website. He asked for some clarification on the tabled Local Law #2, including some possible scenarios, which Mr. Cioffi attempted to answer to his satisfaction. He also inquired as to how the commercial solar farms would be

taxed. Mr. Poletto replied that the Town was instituting a PILOT program (Payment in Lieu of Taxes). This would take into account kilowatt generation and income. Mr. Tkacik asked if this were written into Town Code or set forth in a resolution so it couldn't be arbitrarily applied. Mr. Poletto stated that letters to all contractors inquiring about commercial solar, stating that a PILOT contract would be required, will and have been sent and that this is pursuant to NY Real Property Tax Law. It is not written into any Town code as of now.

BUSINESS MEETING:

MINUTES OF THE PREVIOUS MEETING:

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

REPORTS:

Town Clerk: William Lewis

Mr. Lewis gave his report for the month of September. \$6,983.92 will be remitted to the Supervisor's office. In rounded figures, Recycling fees accounted for \$5,162.00, Community Center reservations for \$750.00, Dog licenses for \$561.00 and \$1,400.00 for miscellaneous fees. There were 6 new Community Center reservations. The Center is booking into 2018 with 3 paid reservations and many inquiries. Motion to accept the report was made by Councilman Casale and seconded by Councilman Balistreri. Approved. A copy of the written report is on file in the Town Clerk's Office.

Highway Superintendent: Doug Eddy

Mr. Eddy gave his report for the month of September. Department work included the following: Road patching and paving projects; Culvert replacements, catch basin cleaning and ditch clearing; Mowing roadsides; Monthly leaves and brush pickup; Assisted Grafton with road paving; Pulled in docks & prepped for winter at Town Beach; Pressure washed and sealed bandstand at Community Center. Motion to accept the report was made by Councilman Christian and seconded by Councilman Sullivan. Approved. A copy of the written report is on file in the Town Clerk's Office.

Water Superintendent: Bill Bradley

Mr. Bradley gave his report for the month of September. All required water tests were completed. 69 Dig Safely requests were performed Mr. Bradley has been working to close open items in the Brook Hill subdivision as well as monitoring storm water management at several construction sites. He submitted a proposal to the Board for an installation of a leak detection sensor for our water distribution system. This would be able to sense leaks much sooner than high meter readings or obvious surface saturation. Motion to accept the report was made by Councilman Christian and seconded by Councilman Balistreri. Approved. A copy of the written report is on file in the Town Clerk's Office.

Code Enforcement Officer: Karen Guastella

Ms. Guastella gave her report for the month of September. The report showed \$43,904.80 was collected for Building Permit and Zoning Variance/Planning Board Fees. 48 new building permits were issued, 130 building inspections were performed and active permits totaled 260. The department had 1 code call out, 5 code complaints and 5 code complaint inspections were

made. Additionally, 3 follow up inspection were completed. Motion to accept the report was made by Councilman Casale and seconded by Councilman Sullivan. 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 September. Other than routine matters, his work included the following: Worked with the Supervisor and Town Clerk offices on several POIL requests; purchasing and personnel matters; Continued work on road dedications and water line easements at the Brook Hill subdivision; Worked with the assessor on legal challenges to valuations; Prepared an out of district water supply contract for an individual which was on tonight's agenda; Consulted with attorney Andrew Gilchrist concerning a settlement of a dispute with NYMIR concerning their representation of the town in litigation with Brunswick Associates; Met with NYS DOT concerning the proposed Brunswick Plaza PDD amendment. Motion to accept the report was made by Councilman Sullivan and seconded by Councilman Christian. Approved.

Town Historian: Sharon Zankel

Mrs. Zankel gave her report for the month of September. By invitation, she presented a program at Hudson Valley CC in which she focused on three historical sites in Brunswick: The Morrison Farm in Cropseyville, the Garfield School in Center Brunswick and the Forest Park Cemetery. She is working with the Historical Society to honor a group of 12 students who were awarded the NYS Archives 2017 Student Research Award. They hope to host a reception and a viewing of the video the students produced about women's suffrage in NY. The annual Forest Park Cemetery tour is scheduled for Saturday October 21st and has been working on a presentation to be included in the activities. Motion to accept the report was made by Councilman Casale and seconded by Councilman Balistreri. Approved. A copy of the written report is on file in the Town Clerk's Office.

Recycling Coordinator: Thomas Engster

Mr. Engster was unable to attend. His report for the month of September was submitted prior to the meeting. A copy of the written report is on file in the Town Clerk's Office.

Library Report: Natalie Hurteau

Mrs. Hurteau gave her report for the month of September. As expected, due to the summer ending, last month saw a decrease in all services with the exception of Wi-Fi since last month and patron visits were about 100 totaling 2644. Regular programs will continue with a few schedule changes. They have been able to finish lighting upgrades and still have grant money, possibly air conditioning upgrades. The new library hours, 10:00 a.m. to 6:00 p.m. Monday through Saturday, have been working well. Fall Fest is scheduled for October 28th and Trunk or Treat on October 31st. They are also looking into holding a Farmers Market at their location. Program schedules, special events and news items are available at www.brunswicklibrary.org. Motion to accept the report was made by Councilman Casale and seconded by Councilman Christian. Approved. A copy of the written report is on file in the Town Clerk's Office.

RESOLUTIONS:

Resolution No. 69 Resolution Reappointing Member to Board of Assessment Review of the Town of Brunswick. The foregoing Resolution, offered by Councilman Casale and seconded by Councilman Christian, was duly put to a roll call vote as follows: Councilman Christian, Voting Aye; Councilman Casale, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Absent. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 70 Resolution Authorizing the Justice Court to Submit a Grant Application Under the 2016-17 Justice Court Assistance Program. The foregoing Resolution, offered by Councilman Balistreri and seconded by Councilman Christian, was duly put to a roll call vote as follows: Councilman Christian, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Casale, Voting Aye; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Absent. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 71 Resolution Approving and Authorizing Supervisor to Execute Water Purchase and Supply Agreement. The foregoing Resolution, offered by Councilman Sullivan and seconded by Councilman Casale, was duly put to a roll call vote as follows: Councilman Christian, Voting Aye; Councilman Casale, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Absent. The foregoing Resolution was thereupon declared duly adopted.

Prior to a vote on the following Resolution, Mr. Anthony Valenti, representing Grafton Quarry, LLC, explained that the current mining operations land is 90% within the Town of Grafton, zoned for heavy industrial, but the approximately 19 acres in Brunswick, adjacent to their current operations is zoned A-40 Agricultural. Therefore, they are seeking a zoning variance to Heavy Industrial in order to utilize the entire property.

Resolution No. 72 Resolution Accepting Application for Amendment of the Zoning Law of the Town of Brunswick, Appointing Consulting Engineer and Special SEQRA Counsel, and Referring Application to the Planning Board and the Rensselaer County Department of Economic Development and Planning – Grafton Quarry, LLC. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Sullivan, was duly put to a roll call vote as follows: Councilman Sullivan, Voting Aye; Councilman Christian, Voting Aye; Councilman Casale, Voting Aye; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Absent. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 73 Resolution Approving 2018 Tentative Budget as 2018 Preliminary Budget of the Town of Brunswick. The foregoing Resolution, offered by Councilman Sullivan and seconded by Councilman Casale, was duly put to a roll call vote as follows: Councilman Sullivan, Voting Aye; Councilman Christian, Voting Aye; Councilman Casale, Voting Aye;

Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Absent. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 74 Resolution Authorizing Execution of Agreement with New York Municipal Insurance Reciprocal. The foregoing Resolution, offered by Councilman Sullivan and seconded by Councilman Christian, was duly put to a roll call vote as follows: Councilman Christian, Voting Aye; Councilman Casale, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Absent. The foregoing Resolution was thereupon declared duly adopted.

CORRESPONDENCE:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

The following Public Hearings were scheduled:

- 1) Public Hearing to accept comment on the proposed 2018 through 2020 Center Brunswick Fire Department budget. Meeting scheduled for Thursday, November 9, 2018, at the Town of Brunswick Town Hall, commencing at 6:00 p.m.
- 2) Public Hearing to accept comment on the 2018 Town of Brunswick Preliminary Budget. Meeting scheduled for Thursday, November 9, 2018, at the Town of Brunswick Town Hall, commencing at 6:30 p.m.
- 3)

WARRANTS:

Warrants No. 170984 through 171085, No. 92217001 through 92217010 and No. 10617001 through 10617007 were presented. Individual fund expenses were as follows:

General	\$ 119,284.19
Highway	\$ 170,283.68
Water	\$ 367,767.94
Sewer	\$ 307.50
Special Sewer District	\$ 269.57
Special Fire Districts	\$ 35,603.96

Councilman Christian made a motion to approve the warrants, seconded by Councilman Casale. Approved.

FURTHER COMMENTS FROM VISITORS:

None.

ADJOURNMENT:

Councilman Christian made a motion to adjourn the meeting, seconded by Councilman Casale. Approved. The meeting adjourned at 8:00 p.m.

Respectfully submitted,

William J. Lewis
Town Clerk