

**TOWN OF BRUNSWICK  
REGULAR TOWN BOARD MEETING  
NOVEMBER 9, 2017, 7:00 P.M.  
TOWN HALL**

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

**Board Members Absent:** None.

**Also Present:** Town Attorney, Thomas Cioffi and Town Clerk, William J. Lewis.

Supervisor Herrington 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. Jim Tkacik, 387 Brunswick Road, Asked about the status of the proposed Local Law #2. Noting that a public hearing and special meeting had been held on August 21<sup>st</sup> concerning proposed Local Law #2, during which it had been tabled unanimously, had not been revisited or discussed since and was not on the agenda, the board members agreed to take his questions.

Supervisor Herrington stated that he had previously recused himself from any considerations of proposed Local Law #2 and would continue to do so. Supervisor Herrington left the meeting room at 7:10 p.m. and Deputy Supervisor Patrick Poletto assumed the Chair.

Mr. Tkacik continued. His questions and replies from the Town Board are as follows:

- Asking for clarification of “pending” actions, he was informed it would be an action that had already been initiated at the time of the adoption of the law.
- Hypothetically, if there were two defendants in a proceeding, complicit in the alleged crime, and one testified against the other to spare themselves, would that person be eligible for reimbursement since they weren’t convicted? Councilman Sullivan noted that this was a good point but he didn’t have an answer without looking further into it.
- Would the application for, and if granted, the reimbursement amount be a public record? Mr. Cioffi acknowledged that to the extent the Open Meetings Law applies, they would. Especially the possible reimbursement which would have to be approved by resolution by the Town Board.
- Had there been any research on the potential costs and if we could be insured for them? Mr. Cioffi noted that the town does have insurance that may cover most civil cases, criminal cases could be problematic and that is part of the reason the law was considered. Councilman Sullivan did not believe that insurance is available for legal fees in criminal matters.
- Mr. Tkacik suggested that each Council Member or official should officially swear to the fact that they have no knowledge of any pending litigation against them before taking office.

At 7:22 p.m. Supervisor Herrington was notified that discussions of proposed Local Law #2 had concluded. Supervisor Herrington returned to the room, re-assumed the Chair and continued with the regular meeting agenda.

**BUSINESS MEETING:**

**MINUTES OF THE PREVIOUS MEETING:**

Councilman Casale made a motion to accept the Minutes of the previous meeting, seconded by Councilman Balistreri. Unanimously approved.

**REPORTS:**

*Town Clerk:* William Lewis

Mr. Lewis gave his report for the month of October. \$8,079.91 will be remitted to the Supervisor's office. In rounded figures, Recycling fees accounted for \$6,310.00, Community Center reservations for \$625.00, Dog licenses for \$649.00 and \$494.00 for miscellaneous fees. There were 6 new Community Center reservations. 2018 reservations are coming in with January almost filled on weekends. Motion to accept the report was made by Councilman Christian and seconded by Supervisor Herrington. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

*Highway Superintendent:* Doug Eddy

Assistant Highway Superintendent Brandon Hill gave his report for the month of October. Department work included the following: Road patching and paving; Culvert replacements, catch basin cleaning; Mowing Forest Park Cemetery; Monthly leaves and brush pickup; Assisted Pittstown with bucket truck; Assisted E. Greenbush & NYSDOT with paving; Prepped equipment for winter; Hauled cardboard & tires for recycling; Hauled shale for water department spillway work. Motion to accept the report was made by Councilman Christian and seconded by Councilman Casale. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

*Water Superintendent:* Bill Bradley

Mr. Bradley was unable to attend the meeting. A report will be filed in the Town Clerk's Office when made available.

*Code Enforcement Officer:* Karen Guastella

Ms. Guastella gave her report for the month of October. The report showed \$37,264.70 was collected for Building Permit and Zoning Variance/Planning Board Fees. 31 new building permits were issued, 194 building inspections were performed and active permits totaled 275. The department had 3 code call outs, 5 code complaints and 4 code complaint inspections were performed. Additionally, 2 follow up inspection were completed. Motion to accept the report was made by Councilman Casale and seconded by Councilman Christian. Unanimously 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 October. Other than routine matters, his work included the following: Worked with the Supervisor and Town Clerk offices on several FOIL requests; Worked with Highway Superintendent on purchasing and preparing bid specifications for brush grinding; Continued work on road dedications and water line easements at the Brook Hill subdivision; Worked with the assessor on legal challenges to valuations; Prepared Resolutions concerning the Center Brunswick Fire Department budget and the demolition of a structure at 897 Hoosick Rd.; Worked on a records subpoena with the Building Department.

Motion to accept the report was made by Supervisor Herrington and seconded by Councilman Balistreri. Unanimously approved.

Town Historian: Sharon Zankel

Mrs. Zankel gave her report for the month of October. The Forest Park Cemetery exhibit at the Brunswick Historical Society is complete! The Forest Park Cemetery Tour saw the largest crowd to date. More than 120 people attended, including many from out of state. She wished to thank the volunteers and the Rensselaer County Auxiliary Police for their help. There were five inquiries as a result of the tour, one from a family who would like to set a tombstone for their ancestor buried at Forest Park. In response to requests by senior residents concerned with the terrain and walking on the tour, she has offered to hold a special tour for them in the spring. The reception at the Historical Society for the winners of the 2016 & 2017 NYS Archives Student Research Awards was well attended. She will continue working with students on their lives of Civil War Soldier project. Oakwood Cemetery will be holding its Family Christmas Concert on December 9<sup>th</sup> at 1:00p.m. Motion to accept the report was made by Councilman Christian and seconded by Councilman Balistreri. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

Recycling Coordinator: Thomas Engster

Mr. Engster gave his report for the month of October. After expenses, there were revenues of \$3,550.34. 28.05 tons of materials were recycled and 19.88 tons landfilled for the month. Motion to accept the report was made by Councilman Sullivan and seconded by Councilman Casale. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

Library Report: Natalie Hurteau

Mrs. Hurteau was unable to attend the meeting. Mr. Fred Wobrock, President of the Brunswick Library Board of Trustees, gave the report for the month of October. They are very happy to report that they have contracted with the Grafton Library to provide administrative and purchasing duties as well as programs. Natalie and Sarah will both devote time there. This is very good for our library and Sarah, as it will allow Sarah more hours overall as they could only budget her for part time. The Fall Festival was packed and the Trunk or Treat event had 24 volunteers handing out candy from their cars. A second Active Shoot Program is scheduled for November 14<sup>th</sup> at 5:00 p.m. They are collecting any leftover Halloween candy for a "Candy for Soldiers" drive. Program schedules, special events and news items are available at [www.brunswicklibrary.org](http://www.brunswicklibrary.org). Motion to accept the report was made by Councilman Casale and seconded by Councilman Christian. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

**RESOLUTIONS:**

**Resolution No. 75** Resolution Authorizing Supervisor to Complete and Submit an Online Application for Membership as a Government Unit Participating Member in the National Joint Powers Alliance. The foregoing Resolution, offered by Councilman Casale and seconded by Councilman Christian, 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 Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 76** Resolution Accepting Bid, Awarding Contract, and Authorizing Supervisor to Execute Contract on Behalf of the Town of Brunswick – 897 Hoosick Road Demolition. The foregoing Resolution, offered by Councilman Balistreri and seconded by Councilman Christian, 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 Abstain; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 77** Resolution Approving and Authorizing Execution of Stipulation of Settlement in Connection with Tax Assessment Review Proceeding. 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 Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 78** Resolution Approving Agreement with the Volunteer Fire Company of Center Brunswick, Inc. The foregoing Resolution, offered by Councilman Balistreri 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 Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 79** Resolution Modifying and Revising the 2018 Preliminary Budget and Finally Adopting the Said Preliminary Budget as the 2018 Annual Budget of the Town of Brunswick. 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 Aye. The foregoing Resolution was thereupon declared duly adopted.

**CORRESPONDENCE:**

A letter was received from Betty Zepf of the Sycaway Seniors, thanking the town for the use of the Community Center for their meetings, and the continued financial support of their organization, which allows them to offer their members several field trips throughout the year at a reasonable cost.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

**WARRANTS:**

Warrants No. 171086 through 171187, No. 102017001 through 102017010 and No. 110317001 through 110317007 were presented. Individual fund expenses were as follows:

General	\$ 115,244.23
Highway	\$ 48,361.39
Water	\$ 4,332.20
Sewer	\$ 289.03
Special Sewer District	\$ 256.99
Special Fire Districts	\$ 0.00

Councilman Christian made a motion to approve the warrants, seconded by Councilman Sullivan. Unanimously approved.

**FURTHER COMMENTS FROM VISITORS:**

Supervisor Herrington wished to congratulate Dan Casale for his election to the Rensselaer County Legislature, Gordon Christian and Mark Balistreri for their re-election to the Town Board, and Jayne Tarbox for her re-election as Receiver of taxes.

**ADJOURNMENT:**

Councilman Christian made a motion to adjourn the meeting, seconded by Councilman Balistreri. Unanimously approved. The meeting adjourned at 7:50 p.m.

Respectfully submitted,

William J. Lewis  
Town Clerk