

**TOWN OF BRUNSWICK
REGULAR TOWN BOARD MEETING
SEPTEMBER 13, 2018, 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 7:00 p.m.

All joined in with the salute to the flag.

VISITORS WHO WISH TO SPEAK:

Bonnie Fucci, 36 Killock Ave., stated the project was way too big for area; access from the apartments to Watson Ave. would be a disaster for neighborhood; felt the Town had given up on the area; no need for more apartments was demonstrated at the Public Hearings; another traffic light on Hoosick Rd. would only create more problems; blasting would be disruptive; and the project would destroy the quality of life for current residents. Supervisor Herrington assured her no one was “giving up” on their area and were paying attention to their concerns. He noted that the Zoning Law allowed for apartments in this area only with a Special Use Permit, and even if it met all the technical aspects, the Planning Board review can also consider if the project is appropriate for the site. This is in the very early stage and is not a done deal. He reminded everyone that comments should be directed to the Planning Board so they may be included in the process. Debbie Nichols, 249 Hillcrest Ave., stated she did not want the project at all; claimed there had already been contamination originating from the hill where blasting is proposed; there has already been a negative impact on the nearby stream due to area construction (Planet Fitness); and she has heard it was a done deal. Supervisor Herrington again stated that “done deal” was completely incorrect. Sarah Coonrad, 30 Killock Ave., had attended the previous Planning Board meetings; was concerned that it seemed if the developer of the proposed apartment project met the town’s technical criteria, that the Planning Board’s “hands were tied” as far as approval; questioned if the water infrastructure was adequate as she had heard otherwise; if the project made it to the site plan stage, would there be any sidewalk, lighting or speed bumps to help control traffic in the neighborhood and who makes this determination; this would be a safety issue for homeowners and the many children in the area; tenants in this type of project move in and out often, using resources but never gaining loyalty to the community, which is crucial to the wellbeing of the town and it’s residents. Larry Acunto, 10 Mellon Ave., had attended the second Planning Board meeting; felt the developer’s presentation was condescending and dismissive of concerns; the Planning Board members did not answer the public and seemed to be uninformed about the project. Supervisor Herrington assured him that all the board members were well informed, and that the purpose of a public hearing is to listen to and take note of concerns for inclusion in the determination process; it was for public input and

not meant to be a question and answer session. Jim Tkacik, 387 Brunswick Rd., requested some information. He asked for a copy of a letter sent by the Planning Board to the Town Board concerning apartment density in the town and for an accounting of the number of current, approved and proposed units. Supervisor Herrington said the information will be made available. Debbie Nichols spoke again. She asked to see the letter purportedly sent to the Planning Board by Aldi's concerning a stop light on Hoosick Road, which had been read during the presentation for the apartment proposal. Mr. Andrew Gilchrist, Planning Board Attorney, noted that to his recollection, the developer, Mr. Leon, had produced and read the letter at the meeting and it wasn't clear at the moment if it had been sent to the town. However, Mr. Leon had given a copy to the Planning Board and it would be in the file and may be requested at any time. Bonnie Fucci spoke again. She thought, perhaps mistakenly, that the Aldi's project was dependent on a traffic light and that the proposed apartments would require one, thus serving them both.

BUSINESS MEETING:

MINUTES OF THE PREVIOUS MEETING:

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

REPORTS:

Town Clerk: William J. Lewis

Mr. Lewis gave his report for the month of August. \$8,577.63 will be remitted to the Supervisor's office. Recycling fees accounted for \$5,393.00, Community Center and Pavilion fees \$1,925.00, dog license fees \$550.00 and miscellaneous fees making up the balance. The Community Center had 13 new reservations and the Beach Pavilion 3. Hunting licenses have been on sale at our office since August 1st. Motion to accept the report was made by Supervisor Herrington and seconded by Councilman Sullivan. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

Highway Superintendent: Brandon Hill

Mr. Hill gave his report for the month of August. Department work included: Road patching and paving; Prepared roads for paving; Cleared/replaced culverts and catch basins; Repaired washed out roads; Cleared ditches; Mowed road sides and sports fields; Assisted Troy with boom mowing road sides; Assisted Town of Grafton with road work; Rolled fields at Tamarac School; Made monthly pickups of brush and leaf bags; Cleaned up storm damage in Forest Park Cemetery; Hauled cardboard, tires and appliances to recyclers; Installed lights, outlets and a barbecue grill at the Town Beach; and. 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 & Sewer Report: Bill Bradley

Mr. Bradley gave his report for the month of August. The department completed all required water sampling; Performed required annual lead and copper testing; Responded to a number of minor sewer backups and addressed the issues; Continued to update our storm water plan and addressed a number of storm water related problems in town. There seems to be an upward trend in the amount of water purchased from the City of Troy, which may indicate

additional leaks in the system. Mr. Bradley will be focusing on this issue. 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.

Code Enforcement: Karen Guastella

Ms. Guastella gave her report for the month of August. The report showed \$8,403.80 was collected for Building Permit and Zoning Variance/Planning Board Fees. 27 building permits were issued, 160 building inspections were performed and active permits totaled 257. The department had 4 code call outs, 8 code complaints and 8 code complaint inspections were performed. Additionally, 10 follow up inspections were completed. There were 11 Planning Board projects open or approved and 5 with the Zoning Board. 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.

Town Attorney: Thomas Cioffi

Mr. Cioffi gave his report for the month of August. Other than routine matters, his work included the following: Worked on personnel and equipment purchase matters and prepared related Resolutions; and participated in internal and external meetings August 22nd, 23rd, 24th, 29th, 31st and September 5th, 7th and 12th. Motion to accept the report was made by Councilman Christian and seconded by Councilman Casale. Unanimously approved.

Town Historian: Sharon Zankel

Mrs. Zankel gave her report for the month of August. She responded to 5 phone inquiries and all but one were about the annual Forest Park Cemetery Tour. The tour is scheduled for Saturday, October 20th at 1:00 p.m. with the Brunswick Historical Society participating. Her thanks go out to the Town Highway Department the cleanup at the cemetery after the July wind storm. She conducted a tour of the cemetery for 29 people registered in HVCC's Creative Retirement Program. The Albany Institute of History and Art exhibition of 19th Century artist Joseph Hidley has been postponed for about a year. To date, one of two homes in Brunswick containing his work has been photographed for the exhibit. The Historic Eastfield Village will hold its annual Founder's Day Celebration September 22nd in the Town of Nassau. This was created by the late Don Carpenter by moving and reconstructing buildings onto his property to depict a mid-1800's village. Motion to accept the report was made by Councilman Casale and seconded by Councilman Sullivan. Unanimously 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 the meeting. A copy of his written report for the month of August will be filed in the Town Clerk's Office upon receipt.

Library Report: Natalie Hurteau

Mrs. Hurteau was unable to attend the meeting. Her report for the month of August has been submitted. Program schedules, special events and news items are available at www.brunswicklibrary.org. A copy of the written report is on file in the Town Clerk's Office.

RESOLUTIONS:

Resolution No. 54 Resolution Authorizing the Justice Court to Submit a Grant Application Under the 2018-19 Justice Court Assistance Program. The foregoing Resolution, offered by Supervisor Herrington 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 Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 55 Resolution Amending Adopted 2018 Annual Budget (Highway Fund). 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 Sullivan, Voting Aye; Councilman Casale, Voting Aye; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 56 Resolution Approving and Authorizing Acceptance of Quotation for Purchase and Delivery of One (1) 2018 John Deere Model 524K II Wheel Loader Pursuant to Sourcewell (Formerly National Joint Powers Alliance) Cooperative Contract. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Sullivan, 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 Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 57 Resolution Approving and Authorizing Supervisor to Execute Agreement for Professional Engineering Services with Maser Consulting, P.A. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Sullivan, 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 Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 58 Resolution Authorizing Settlement and Payment in Condemnation Proceeding. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Casale, 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 Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 59 Resolution Retaining Accounting and Appraisal Experts for Defense of Real Property Tax Law Article 7 Litigation. 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 Sullivan, Voting Aye; Councilman Casale, Voting Aye; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 60 Resolution Declaring Item to be Surplus Property. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Casale, 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 Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 61 Resolution Authorizing Execution of Agreement for Payment in Lieu of Taxes. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Casale, 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 Aye. The foregoing Resolution was thereupon declared duly adopted.

CORRESPONDENCE:

Claudia Callander addressed a letter to Supervisor Herrington, thanking the Town for the use of the Community Center for an animal rescue fundraiser she organized. It was a great success, raising over \$4,500.00, all of which goes to the needs of abandoned and rescued cats and dogs. The facility was perfect! Bright, airy, a beautiful setting, with everything they needed. She hopes to sponsor another fundraiser in the spring and will request a date ASAP as she knows this is a popular venue. Thank you and the best to all.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

WARRANTS:

Warrants No. 180847 through 180961, No. 82418001 through 82418010 and No. 90718001 through 90718006 were presented. Councilman Christian made a motion to approve the warrants, seconded by Councilman Balistreri. Unanimously approved.

Individual fund expenses were as follows:

General	\$ 159,310.48
Highway	\$ 290,466.43
Water	\$ 10,205.07
Sewer	\$ 960.62
Special Sewer District	\$ 683.63
Special Fire Districts	\$ 25,443.50

FURTHER COMMENTS FROM VISITORS:

Bonnie Fucci spoke again. She and other residents were concerned with Mr. Leon's presentation at the Planning Board meeting, not just because of tone, but that he seemed to push the issue in regards to compliance with the Town Zoning Laws and Comprehensive Plan. He made it seem like it should be a done deal. Ms. Fucci had the feeling that if were in compliance, the Planning Board would have no alternative to deny the application. At Supervisor Herrington's request, attorney Gilchrist detailed the multiple steps needed to progress with this project, noting that it is very early in the process. He reiterated that nothing is a done deal, though of course the developers would like to think so and try to present it as such. The Public Hearing had been for

comment, not as a question and answer session, and the Planning Board is required to consider this public input during their review. Sarah Coonrad spoke again. She inquired as to the possibility of creating a community forum, with a liaison from the Town, to keep residents better informed about the processes involved in the project review and the status as it moves forward. People form opinions without really knowing the facts, and this would help more than the often contentious Public Hearings, directly addressing the residents who are impacted by a project in their neighborhood. Town Attorney Cioffi offered that this proposal should be discussed internally, as there could be concerns legally, and that they will offer a reply at that time.

ADJOURNMENT:

Councilman Christian made a motion to adjourn the meeting, seconded by Councilman Balistreri. Unanimously approved. The meeting adjourned at 8:25 p.m.

Respectfully submitted,

William J. Lewis
Town Clerk