

**TOWN OF BRUNSWICK
REGULAR TOWN BOARD MEETING
SEPTEMBER 9, 2021, 7:00 P.M.
TOWN HALL**

Board Members Present: Supervisor Herrington, Councilman Christian, Councilman Sullivan and Councilman Cipperly.

Board Members Absent: Councilman Balistreri.

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

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

All joined in with the salute to the flag.

VISITORS WHO WISH TO SPEAK:

Matt May, 20 Windfield Lane, Spoke about storm water issues he has been having. His residence is at the end of a cul-de-sac, and whenever it rains the drainage system in place at the end of the road overflows washing out his drive. The culvert in place is not adequate and does not divert runoff correctly. This is also eroding the roadway. He has previously contacted the Highway Department to no avail. He had pictures which he shared with the Board Members. Councilman Christian agreed to come out with the Highway Superintendent to assess the problem.

Jason Laird, 4 Windfield Lane, stated the entire road is cracking/deteriorating - Grass is actually growing in the road cracks - and the culverts are not getting cleaned out. Water runs around them causing more issues.

Rev. James Houlihan, 106 Brunswick Road, had written an article in the Times Union, and inquired to the Town Board about homeless persons and panhandling in town and asked if there were any further developments and/or resources available. He acknowledged that Supervisor Herrington had come to his home to discuss the matter and thanked him. He saw signs go up prohibiting soliciting, panhandling and loitering, which he feels doesn't address the problem. Mr. Herrington informed him that it was not the Town. The signs were installed by the plaza owner, The Nigro Companies, which is their right as it is private property. They have been trying to address the panhandling problem at this and many other of their properties in the region. Rev. Houlihan asked if there were any Town policies regarding panhandling on public property, and if these people had a right to do so. Attorney Cioffi and the Board Members agreed there were no specific Town policies and weren't positive but felt that it probably is legal as long as there were no laws being broken, such as blocking access/traffic, trespassing on private property or harassing/aggressive behavior. Mr. Herrington has spoken with the County and they have many programs available. He has given this information to several people asking for help.

Paul Buehler 1454 NY 7, spoke regarding traffic flow on Hoosick Road (NY 7). This poor traffic flow is impacting Routes 2 & 142, productivity (time in traffic), and quality of life (i.e. fumes). He had written to NYS DOT on July 19th and finally heard back on August 20th, from Mr. Rice, Planning and Program Manager. The letter said the DOT would welcome discussions with residents, stakeholders and other municipal partners going forward. Mr. Buehler is asking the Town to reach out to the DOT and would be a willing participant in any meetings himself. Mr. Herrington noted that the Town has met numerous times and pointed out that the letter says improvements are difficult without a partnership involving municipal fiscal support. What this means, and has come up in meetings, is that the DOT feels that if developers want to locate on the State roads they should be willing to escrow funds to go toward improvements of these roads. Asked if this is legal, the answer: The Town could strongly recommend it. Mr. Herrington feels that if a developer wants to locate on a State road, the Town shouldn't be asked to hold them hostage in order to improve such roads, which are funded by all taxpayers in the State Budget.

Town Board Meeting

BUSINESS MEETING:**MINUTES OF THE PREVIOUS MEETING:**

Councilman Sullivan made a motion to accept the minutes of the August 12, 2021 regular meeting. Motion seconded by Councilman Christian. Unanimously approved.

REPORTS:**Town Clerk:** William Lewis

Mr. Lewis gave his report for the month of August. \$9,570.83 will be remitted to the Supervisor's office. Recycling fees accounted for \$6,202.91, Community Center fees for \$1,650.00, Pavilion fees for \$100.00, Dog License fees for \$501.00 and \$1,116.92 in miscellaneous fees making up the balance. The Community Center had 11 new reservations and the Beach Pavilion 1. 2021-2022 Hunting licenses went on sale August 2nd and as usual there has been a good turnout. 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.

Highway Superintendent: Terry Scriven

Ed O'Donnell, Deputy Highway Superintendent gave the report for the month of August. Work included: patched and paved roads; ditched roads and replaced culverts; pinched up brush and leaf bags, hauled brush and leaves to landfill; mowed roadsides; hauled recyclables; shared services with the Town of Grafton; shared services with Rensselaer County. Motion to accept the report was made by Councilman Christian and seconded by Councilman Cipperly. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

Water & Sewer: Bill Bradley

Mr. Bradley was on site at a local fire and unable to attend the meeting. He has submitted a written report. A copy of the written report is on file in the Town Clerk's Office.

Code Enforcement: Charles Golden

Mr. Golden was on site at a local fire and unable to attend the meeting. He has submitted a written report. 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 had participated in weekly meetings with town officials and our zoning consultants in regards to proposed amendments to the Zoning Law for consideration by the Town Board, including possible changes to the regulations on multifamily dwellings; conducted reviews and participated in discussions regarding the preparation of the revised and final collective bargaining agreement with the CSEA which represents unionized employees; worked with the Supervisors Office on significant purchasing matters; worked with the Building Department on enforcement actions and other matters; worked with the Town Clerk on FOIL requests; Worked with the Supervisors Office and the town's insurance carrier in regards to a potential claim being asserted against the town; as needed, offered legal opinions and conducted legal research for town officials on a variety of matters. Motion to accept the report was made by Supervisor Herrington and seconded by Councilman Sullivan Unanimously approved.

Town Historian: Sharon Zankel

Mrs. Zankel gave her report for the month of August. Her monthly COVID-19 update. On September 8th in Rensselaer County, 12,738 tests were administered with a 2.44% positivity rate. This was lower than most neighboring counties. Her work last month: She has assisted the Brunswick Historical Society with a new exhibit that will open to the public on September 11th at the Society's Tag and Bake Sale at the Garfield School Building. Of special interest is a late

1800's undertaker's record journal that belonged to John and Henrietta Miller whose Funeral Home was in Eagle Mills. She reminded everyone that the Society's collection depends on contributions from residents and organizations in town. She has also continued working with the historian of the NYS 169th Regiment, researching the lives of local Civil War soldiers and last month started looking for information on the Ensign family member whom it is believed that the GAR (Grand Army of the Republic) Post #658 in Cropseyville was named after. It is possible the post was named for Henry Augustus Ensign, grandson of Henry Ensign. The elder Ensign settled in Brunswick in the late 1800's and owned a large farm, including the land where Placid Hills Stable is now located. If anyone has information on ancestors who may have held membership in that Post or been associated with the organization she would love to hear from you. Mrs. Zankel and the Brunswick Historical Society will be hosting the annual Forest Park Cemetery Tour, scheduled for Saturday, October 23rd, starting at 1:00pm. The tour was not held in 2020 but there were 500 visitors in 2019. The Historical Society has funded the resetting of almost all of the tipped tombstones, and the grounds are looking better than ever. Motion to accept the report was made by Councilman Christian and seconded by Councilman Cipperly. 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 August. He had previously submitted a report for the month of August. His report showed, that after expenses, there were revenues of \$2,428.62. 26.17 tons of materials were recycled and 18.31 tons landfilled for the month. 4.36 tons of mixed cardboard/chipboard, 6.27 tons of baled cardboard, 4.84 tons of mixed metal, 6.36 tons of mixed glass/plastic, 2.75 tons of electronics, 8 appliances, 7 air conditioners and 13 televisions were recycled. 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.

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Community Library: Sara Hopkins

Ms. Marthe Ann Gabey, President, Library Board of Trustees, give the report for the month of August. Last month there were 3,374 physical checkouts, 21 pickup appointments, 1,598 walk in visitors and 2,416 digital checkouts. There were 230 participants in the summer reading program, including adults, teens and children, with 5530 reading hours logged. Also 472 people participated in other programs offered. The Medieval Day event was held on August 14th and was attended by 80 people. Fall Fest is scheduled for September 25th, 3:00 to 7:00pm. Several food vendors will be participating and there will be fire trucks, small animals and a book sale. Any community groups or vendors interested in participating should contact the library.. Program schedules (new and continuing), special events and news items are available at www.brunswicklibrary.org Motion to accept the report was made by Councilman Christian and seconded by Councilman Cipperly. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

RESOLUTIONS:

Prior to offering the following Resolution, Councilman Christian explained this was to replace seriously outdated/obsolete radios for our fleet of vehicles. The current equipment is about 30 years old, unreliable and parts are scarce. Communication, especially in the winter with plowing, and summer with paving, is critical for the safety of our employees and overall efficiency in the performance of their duties.

Resolution No. 55 Resolution Authorizing Purchase of Equipment for Town of Brunswick Highway Department. The foregoing Resolution, offered by Councilman Christian and seconded by Supervisor Herrington, was duly put to a roll call vote as follows: Councilman Cipperly, Voting Aye; Councilman Christian, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Absent; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 56 Reso;ution Amending Resolution No. 53 of 2021 and Directing SEQRA Lead Agency Coordination regarding Petition and Application by CVE North America, Inc. for a Proposed Commercial Solar Collector System. The foregoing Resolution, offered by Councilman Sullivan and seconded by Councilman Christian, was duly put to a roll call vote as follows: Councilman Cipperly, Voting Aye; Councilman Christian, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Absent; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 57 Resolution Adopting Town of Brunswick Local Law No, 3 of 2021. The foregoing Resolution, offered by Councilman Sullivan and seconded by Councilman Christian, was duly put to a roll call vote as follows: Councilman Cipperly, Voting Aye; Councilman Christian, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Absent; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

CORRESPONDENCE:

None.

OLD BUSINESS:

None.

NEW BUSINESS:

Supervisor Herrington had a few items. He has been contacted by three students of Tamarac School, who are also members of the Girl Scouts, looking for a project. They have decided to help fix up the dog park at the Keyes Lane. This could also include asking local businesses for support as part of the overall project.

Revisiting the issue of people in need, he thought with all the County resources available, he could possibly work up a contact list for services to hand out and make available to people. Perhaps they are unaware of the programs.

WARRANTS:

Warrants No. 210834 through 210937, No. 82021001 through 82021010 and No. 90321001 through 90321006 were presented. Motion to approve the warrants was made by Councilman Christian and seconded by Supervisor Herrington. Unanimously approved. Individual fund expenses were as follows:

General	\$	164,963.02
Highway	\$	94,354.04
Water	\$	13,924.50
Sewer	\$	825.79
Special Sewer	\$	805.99
Special Fire	\$	14356.76

FURTHER VISITORS WHO WISH TO SPEAK:

Rev. James Houlihan, 106 Brunswick Road, asked how he can find out about the next meetings regarding zoning and density issues. It will be published in the record and be on our website and Town Hall bulletin board. He also has an issue with the drainage ditches in front of his home not being maintained. He realizes this is a State road and is looking for contact info.

Jennifer Mann, 91 Hill Road, suggested that hometown hero banners could be offered, similar to the Veterans Banners, for local people who traveled to New York City, volunteering to help in many capacities in the aftermath of the 911 terrorist attacks. She also still has concerns about possible PFOAs in private wells in town, citing issues in Hoosick Falls, Nassau and a few in Poestenkill. She would be more comfortable knowing spot checks were being done. Researching having the test done herself, she has found it almost impossible to locate a test facility that accepts private citizen's samples. She asked if the Town could help in any way, maybe through the water department to coordinate testing for residents.

Jim Tkacik, 387 Brunswick Road, has been continuing his efforts to have the speed limit reduced on a section of State Route 2 (Brunswick Rd.). It had been suggested he contact the 911 system people for information. He requested, under the Freedom of Information Law, accident information for that section of highway from 2016 to April of this year. Reviewing the records he received and his personal knowledge of accidents, he found many were either not in the system or did not have complete information. For example, he shared a report on an accident involving two tractor trailers near the entrance to Brunswick Hills, where the vehicle owners were not even identified. Also there was no report on a major truck rollover near his house. He has also contacted the State Police for information to no avail. He feels approaching the State DOT without complete, accurate information will get him nowhere and asked if the Town could help in any way. Attorney Cioffi offered that a Resolution could be drafted asking the State to consider the speed limit change and that he would need data to present as part of the Resolution and Mr. Tkacik said he will make what he has available. He also noted that in earlier conversations about this topic, Mr. Tkacik had mentioned procuring a petition signed by concerned residents, which would be helpful as well.

***ADJOURNMENT:**

Supervisor Herrington made a motion to adjourn the meeting "In memory of those who lost their lives or were injured during the terrorist attack on September 11, 2001, and their loved ones. May we never forget." Motion was seconded by Councilman Cipperly. Unanimously approved. The meeting adjourned at 8:35 p.m.

Respectfully submitted,

William J. Lewis
Town Clerk