

**TOWN OF BRUNSWICK
REGULAR TOWN BOARD MEETING
AUGUST 12, 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: Attorney, Andrew Gilchrist and Town Clerk, William Lewis.

Supervisor Herrington called the meeting to order at 7:06 p.m.
All joined in with the salute to the flag.

VISITORS WHO WISH TO SPEAK:

Michelle Fennell, 117 Woodlawn Avenue, asked if there was anything the Town could do about an issue with a neighbor's fence installation. The fence is an 11' tall solid fence that she is worried could fall over causing injuries to members of her family. Besides her feeling that it is overkill, she believes it is not installed properly. She has also asked a fence installer about it and his opinion was that it could be hazardous. She has spoken with her neighbor about this with no resolution. The neighbor stated there were no zoning laws on fences. This neighbor actually sold her the lot, but apparently there have been issues with the neighbor since they started building. Mr. Goldman, Code Enforcement Officer, confirmed that there were no specific regulations on fences in the Town Zoning Laws. Councilman Sullivan offered that there may be State or National building code standards that may apply. Attorney Gilchrist also offered that there is a section of Town Code dealing with unsafe or hazardous structures. While this was meant to deal with buildings primarily, it may apply to this situation and will be looked into. Michelle thanked everyone for their time.

BUSINESS MEETING:

MINUTES OF THE PREVIOUS MEETING:

Councilman Sullivan made a motion to accept the minutes of the July 8, 2021 regular meeting. Motion seconded by Councilman Christian. Unanimously approved.

REPORTS:

Town Clerk: William Lewis

Mr. Lewis gave his report for the month of July. \$9,540.56 will be remitted to the Supervisor's office. Recycling fees accounted for \$6,238.00, Community Center fees for \$1,650.00, Pavilion fees for \$200.00, Dog License fees for \$320.00, Dog impoundment fees and fine \$180.00 and \$681.00 in miscellaneous fees making up the balance. The Community Center had 11 new reservations and the Beach Pavilion 2. 2021-2022 Hunting Licenses are now available for purchase as well as Deer Management Permits. 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.

Highway Superintendent: Terry Scriven

Mr. Scriven was unable to attend the meeting. Supervisor Herrington read the report for the month of July that had been submitted. Work included: Picked up brush and leaves, hauling to landfill; Patched, ditched and replaced pipes on roads; Hauled cardboard for recycling; Hung veterans banners; Mowed ballfields; Mowed and limbed trees on roadsides; Repaired roads from storm damage. A copy of the written report is on file in the Town Clerk's Office.

Water & Sewer: Bill Bradley

Mr. Bradley was unable to attend the meeting and a report was not available. When available, a copy of the written report will be filed in the Town Clerk's Office.

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Code Enforcement: Charles Golden

Mr. Golden gave his report for the month of July. The report showed \$4,948.85 was collected for Building Permits and Zoning and Planning Board Fees. 34 building permits were issued or renewed, 66 building/property inspections were performed and active permits totaled 340. The department had 2 code call outs with inspections, 7 code complaints, 7 code complaint inspections, 7 follow up complaint inspections and 1 fire inspection. 1 additional property was identified as vacant/abandoned. There are 7 Planning Board projects and 3 with the Zoning Board. Motion to accept the report was made by Councilman Christian and seconded by Councilman Sullivan. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

Town Attorney: Thomas Cioffi

Mr. Cioffi was unable to attend the meeting. No report is available at this time.

Town Historian: Sharon Zankel

Mrs. Zankel was unable to attend the meeting. She has submitted her report for the month of July. 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. He has submitted his report for the month of July. A copy of the written report is on file in the Town Clerk's Office.

Community Library: Sara Hopkins

Ms. Hopkins give her report for the month of July. Last month there were 3,504 physical checkouts, 31 pickup appointments, 1,623 walk in visitors and 2,281 digital checkouts. 552 people participated in various programs. The Civil War event was very successful and included collaboration with Crenshaw's Bakery, Civil War Round Table and Tamarac School. Special Storytime events were held with farmers, dance teachers and 4-H members. Multi-generational craft classes were held including sculpting and kokedama. The papermaking class was postponed due to weather. They have been helping to collect drink & snack donations for local Fire Departments. Fall Fest is scheduled for September 25th and would like to hear from community groups or vendors interested in participating. 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 Sullivan and seconded by Councilman Cipperly. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

Supervisor Herrington asked for a motion to approve all reports submitted by absent department heads. Councilman Christian made the motion, seconded by Councilman Sullivan. Unanimously approved.

Before continuing with Resolutions, Supervisor Herrington gave an update concerning the Towns efforts to become a designated community in the "Clean Energy Communities Program" administered by NYSERDA with assistance by the Capital District Regional Planning Commission (CDRPC). The program allows access to grant monies if the Town meets specific goals for energy efficiency. He noted that the Town has already taken many steps in this direction including updated lighting in buildings and parking areas, high efficiency pumps in sewer and water stations and the installation of solar panels at the Town Office. Some of these projects may qualify retroactively. As a start towards designation as a Clean Energy Community, two suggested qualifying goals were made by Tara Dinatio of CDRPC. One was to adopt the "NYS Unified Solar Permit" which simplifies the permitting process for small scale solar

installations under 25kw. After thorough review of the documentation provided by NYSERDA, the Building Department advised that it was agreeable to adopting this permitting process and a Resolution to that effect has been drafted for consideration by the Town Board this evening. The other recommended goal was to adopt and implement an Energy Benchmarking Policy, which involves all Town buildings of a certain size. Again, after review by the building department, the guidelines were found to be quite involved, and Mr. Golden, Code Enforcement Officer and head of the department, had many questions about the policies and has begun contacting people looking for clarifications. Therefore, the Town is holding off on this for now.

RESOLUTIONS:

Resolution No. 54 Resolution Adopting the New York State Unified Solar Permit. 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.

Mr. Andrew Gilchrist, Zoning and Planning Board attorney, wanted to point out that even with adoption of the previous resolution, this in no way suggests that permitting for solar has been difficult. The town has consistently been very supportive and proactive in the process for both residential and large scale installations.

LOCAL LAW:

Attorney Gilchrist explained that the Local Law being introduced was to extend the moratorium on construction of two family and multiple family dwellings. The current six month moratorium will end in September and while good faith efforts have been made to address this as it applies the Town Zoning Law, more time is needed to iron out details. This will extend the moratorium for six more months.

Introductory Local Law #2 of 2021 A Local Law Extending the Moratorium on the Filing, Acceptance, Review, or Determination of any Land Use Application Pertaining to Two Family Dwellings and Multifamily Dwellings in the Town of Brunswick. Councilman Sullivan introduced Introductory Local Law #2 of 2021 into the record and the Town Board scheduled a Public Hearing to accept comments on the proposed Local Law. The Public Hearing will be held at Town Hall, Thursday, September 9, 2021, commencing at 6:30 pm.

CORRESPONDENCE:

None.

NEW BUSINESS:

None

WARRANTS:

Warrants No. 210693 through 210833, No. 72321001 through 72321009 and No. 80621001 through 80621007 were presented. Motion to approve the warrants was made by Councilman Christian and seconded by Councilman Cipperly. Unanimously approved. Individual fund expenses were as follows:

General	\$	210,214.25
Highway	\$	53,954.14

Water	\$	50,011.71
Sewer	\$	495.46
Special Sewer District #6	\$	624.36
Special Water District #11	\$	31,380.00

FURTHER VISITORS WHO WISH TO SPEAK:

Jim Tkacik, 387 Brunswick Road, inquired if the Town had received any federal stimulus money allocated due to the pandemic and if so how will it be applied? Councilman Sullivan offered that the Town had receives approximately \$625,000.00has been received. Supervisor Herrington advised that Federal guidelines allow, with proof, monies to be used for lost revenue. To that end \$300.000.00 has been allocated to the general fund, Attorney Gilchrist added that the balance has very strict rules for allocation including water and sewer and broadband infrastructure projects. Also costs involved with dealing with the pandemic such as PPD's, air quality improvements, notification expenses etc. can qualify. Of note, if an audit uncovers unauthorized use of these funds, there are penalties. Next, Mr. Tkacik asked if there were any updates on Zoning Law issues that were to be reviewed. Attorney Gilchrist replied that a checklist of items to review is being worked on, and that the Laberge Group, which were instrumental in the new Zoning Law ordinance in 2017, is assisting. They are making progress and any amendments/changes would be scheduled for Public Hearings. Next, Mr. Tkacik asked if there were any thoughts/decisions on allowing retail sales of cannabis in the Town of Brunswick. He knew there was a deadline for making a decision. Attorney Gilchrist confirmed that in fact the State Legislation sets a deadline of December 31, 2021 to opt out of allowing retail sales in communities. If the choice to opt out is not made, there would be no recourse for disallowing retail sales in the future. However, if the Town did opt out, allowing retail sales in the future will remain an option. Lastly, Mr. Tkacik reiterated his thoughts about guiding businesses to develop in the McChesney Ave. commercial zone as an alternative to Route 7.

ADJOURNMENT:

Councilman Christian made a motion to adjourn the meeting and was seconded by Supervisor Herrington. Unanimously approved. The meeting adjourned at 7:55 p.m.

Respectfully submitted,

William J. Lewis
Town Clerk