

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

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

**Board Members Absent:** None.

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

Supervisor Herrington called the meeting to order at 7:02 p.m.

All joined in with the salute to the flag.

**VISITORS WHO WISH TO SPEAK:**

Kathy Betzinger, 1 Valley View Drive, spoke concerning traffic on Hoosick Street. She often travels from Valley View Drive, down North Lake Avenue to the Hoosick Street intersection. There, even if there are only a few cars in queue, it can take up to three cycles of the traffic light to move on because cars cannot take a left due to backed up traffic. This is happening at various times during the day, not just rush hour. She asked if there have been or will be any meetings with the public, NYS DOT and/or the City of Troy, concerning this issue and if there were any feasibility studies completed or being done.

William Koester, 24 Deepkill Road, spoke. As he understood it, a federal bill recently passed will make available substantial money for Rensselaer County and its municipalities for infrastructure projects. He asked if we knew how much this will be for the County and specifically the Town. Also, he asked if there were a process in place for how the money might be used in the township. Mr. Wayne Bonesteel, Consulting Engineer with the Planning Board offered the following: The bill establishes the money available to the state, and then the state controls what comes to the counties and then the counties to the towns. There is a process involved where projects are submitted to and reviewed by the Metropolitan Planning Organization for approval. At this time the amount of money available is not clear.

**BUSINESS MEETING:**

**MINUTES OF THE PREVIOUS MEETING:**

Councilman Sullivan made a motion to accept the minutes of two (2) Public Hearings on November 4, 2021 and for the November 14, 2021 regular meeting. Motion seconded by Councilman Christian. Unanimously approved.

**REPORTS:**

Town Clerk: William Lewis

Mr. Lewis gave his report for the month of November. \$6,312.93 will be remitted to the Supervisor's office. Rounding numbers, recycling fees accounted for \$4,275.00, Community Center fees for \$1,050.00, Pavilion fee for \$100.00, Dog License fees for \$254.00 and \$633.00 in miscellaneous fees - including DEC - making up the balance. The Community Center had 7 new reservations and is booking well into 2022. 2021-2022 Hunting license sales earned the Town \$276.00 in commissions on \$4,998.00 in sales. 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 November. Work included: patched roads; hauled brush to landfill; continued picking up leaf/lawn debris bags; hauled recyclables; installed winter equipment onto trucks; fixed the

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Shyne Road/Route 2 intersection. 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.

Water & Sewer: Bill Bradley

Mr. Bradley gave his report for the month of November. All required waiver testing for the month was completed. Meter readings are being made for February billing. There are 464 radio read meters in place which can be read in about 3 hours. When all the meters have been replaced he estimates it should take one person 2 days to complete as opposed to two people 3 weeks. He sent a letter to the Department of Health concerning the positive PFOS and PFOA results in town and asked to review these and advise if any additional action was needed. The response indicated that since the results were below the maximum PPT allowed, no additional testing or action was necessary. The Leon project continues on Hoosick Road and blasting will begin soon. Any residents who would like to be notified of blast times can forward their cell phone number to Mr. Bradley to receive a text message. The Hannaford project has slowed due to weather and soil analysis. Harbor Freight is starting to pour footings and frost walls. Electronics for the Town Hall generator and the pumps at sewer station 6 are being problematic and in one instance the manufacturer doesn't stock replacement parts and in the other they are just not available. He is looking through the internet and will purchase any he finds in order to prolong the life of the equipment. Motion to accept the report was made by Councilman Sullivan and seconded by Councilman Balistreri. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office. A copy of the written report is on file in the Town Clerk's Office.

Code Enforcement: Charles Golden

Mr. Golden gave his report for the month of November. The report showed \$20,164.40 was collected for Building Permits and Zoning and Planning Board Fees. 44 building permits were issued or renewed, 74 building/property inspections were performed and active permits totaled 376. The department had 3 code call out with inspection, 9 code complaints, 7 code complaint inspections, 5 follow up complaint inspections and 1 fire inspection. 1 additional vacant/abandoned property was identified. There are 15 Planning Board projects open or approved and 9 with the Zoning Board. Motion to accept the report was made by Councilman Cipperly 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 November. He participated in weekly meetings regarding the general zoning law update including two family and multi-family residence regulations; continued work on finalizing the collective bargaining agreement made between the Town and the CSEA, which represents the Highway Department employees; prepared an Introductory Local Law concerning the establishment of an alternate town designated newspaper for legal postings, as well as associated documents and Public Hearing notices; prepared an Introductory Local Law modifying current residency requirements for the position of Superintendent of Highways, as well as associated documents and Public Hearing notices; prepared resolutions for this evening, including those concerning approval of three (3) year agreements with Brunswick Fire Co. #1 and Mountain View Volunteer Fire Co., for fire protection within the Town of Brunswick in their respective districts; continued working with the Supervisors Office concerning a potential new phone system, reviewing service agreements from potential vendors; worked with the Supervisors Office on various personnel matters; worked

with the Receiver of Taxes regarding making tax and assessment payments available over the internet by credit card or Re-check; reviewed legal documents, performed legal research and offered legal opinions as requested by town officials and employees. Motion to accept the report was made by Supervisor Herrington and seconded by Councilman Christian. Unanimously approved.

Town Historian: Sharon Zankel

Mrs. Zankel gave her report for the months of October and November. In October she had requests for information on Forest Park Cemetery burial records, a house for sale on Pinewoods Ave and any information on a Center Brunswick stamp cancellation from the late 10<sup>th</sup> century. The Forest Park Cemetery Tour on October 23 was attended by 80 registered participants with help from 10 volunteers. The event was even covered by Lydia from WTEN/News10. \$349.00 was donated towards the tombstone restoration project. On to November. She continued to research the Center Brunswick stamp cancellation. There was much positive feedback regarding Forest Park Cemetery after the airing of WTEN's feature. Starting in 2022 the NYS Archives will provide their services based on government type rather than by region. 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.

Recycling Coordinator: Thomas Engster

Mr. Engster gave his report for the month of November. Revenues for the month were \$3,971.07 Expenses were \$1,823.98. 17.17 tons of materials were recycled and 16.10 tons landfilled for the month. 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.

Community Library: Sara Hopkins

Ms. Hopkins gave her report for the month of November. The \$5/Bag book sale fundraiser will be Friday December 10<sup>th</sup> all day. There will be a wrap party and a Clogger holiday performance. Events will include a special needs clay class, holiday music storytime and a fishing pole loan program is in the works. Last month there were 2917 physical checkouts, 8 pickup appointments, 1,579 walk in visitors and 2,262 digital checkouts. 415 people participated in various programs. Program schedules (new and continuing), special events and news items are available at [www.brunswicklibrary.org](http://www.brunswicklibrary.org) Motion to accept the report was made by Councilman Cipperly and seconded by Councilman Sullivan. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

### **RESOLUTIONS:**

**Resolution No. 67** Resolution Approving Agreement with the Brunswick Fire Company No. 1, Inc. 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 Abstain; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 68** Resolution Approving Agreement with the Mountain View Volunteer Fire Company, Inc. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Balistreri, 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 Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 69** Resolution Adopting Town of Brunswick Local Law No. 4 of the Year 2021 Entitled “A Local Law to Opt-out of Allowing On-site Consumption Sites as Authorized Under Cannabis Law, Article 4”. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Balistreri, 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 Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 70** Resolution Authorizing Purchase of Truck and Associated Equipment for Town of Brunswick Highway Department. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Sullivan, 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 Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**\*LOCAL LAWS:**

**Introductory Local Law No. 4 of the Year 2021:** A Local Law entitled “A Local Law Superseding Town Law § 64(11) Regarding the Designation of the Official Town Newspaper of the Town of Brunswick and the Ability of the Town Board of the Town of Brunswick to Designate an Alternate Official Town Newspaper of the Town of Brunswick. A discussion as to a date and time for a Public Hearing on this Introductory Law followed. With unanimous agreement, a Public Hearing regarding this Introductory Local Law was scheduled for Thursday, December 30, 2021 at Brunswick Town Hall, commencing at 6:00pm.

**Introductory Local Law No. 5 of the Year 2021:** A Local Law entitled “A Local Law Establishing the Residency Requirements for the Appointed Office of Superintendent of Highways of the Town of Brunswick. A discussion as to a date and time for a Public Hearing on this Introductory Law followed. With unanimous agreement, a Public Hearing regarding this Introductory Local Law was scheduled for Thursday, December 30, 2021 at Brunswick Town Hall, commencing at 6:30pm.

**CORRESPONDENCE:**

Judy Austin-Rancourt sent a letter addressed to the Town Board and Planning Board members stating her concerns with the Route 7 traffic situation. She noted the backups are even occurring westbound on a regular basis. She agrees with others that coordination with the State DOT and City of Troy needs to happen. People avoiding Hoosick Road impacts other local roads, and actually could be bad for businesses along this corridor. A copy of the letter was furnished to all Board Members.

Greg and Natalie Hurteau sent a note thanking Sharon Zankel for her time showing them Forest Park Cemetery and the related historical documents on a personal tour. Natalie is the former director of the Brunswick Community Library. They praised her for her excellent work.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

Supervisor Herrington spoke regarding growth in the Town of Brunswick. The Comprehensive Plan adopted identified the main commercial corridor as Hoosick Road, where businesses continue to locate. During the development of the Comprehensive Plan, it was clear that residents wished to retain the rural nature of the town. At the same time, there has been a need

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for affordable housing for residents who needed to downsize and were selling their homes, but wanted to stay in Brunswick The Planned Development Districts approved have been aimed towards this need. They have been planned so that existing infrastructure (water/sewer) can be utilized, which locates them in proximity to the commercial zones. He acknowledges that the traffic situation along Hoosick Road is a major issue, but multiple attempts over the years to persuade the NYS DOT, which owns the road, to assist has fallen on deaf ears. Apparently there are Federal grants available towards infrastructure improvement and he asked Mr. Wayne Bonesteel, Engineer, to give an update on the processes and entities involved with overseeing use of the Federal infrastructure money becoming available. Mr. Bonesteel reported that The Capital District Transportation Committee (CDTC) is the organization responsible and has implemented the “Unified Planning Work Program” that assigns funds to transportation plans that advance the principals of the region’s Metropolitan Transportation Board. The current program will run April 1, 2022 through March 31, 2023. An example of funding opportunities is a consultant led community land use and transportation linkage program project. Solicitations to apply for grants for this program went out in October. Mr. Bonesteel and Planning Board Chairman Russell Oster met with CDTC to discuss the viability of a proposal for a study of Hoosick Road. The City of Troy has conducted studies from the bottom of Hoosick Street up to North and South Lake Avenues. Similar studies through Brunswick would be a little different due to lane structure. The Town’s proposal is to study the commercial corridor from the City of Troy boundary to NYS Route 142, including connecting neighborhood streets. The NYS DOT Regional Planning Office has supplied a letter of support for this proposal to be include with the grant application. A few other items to be covered in this grant are curb cuts, side road alignments and coordinated traffic signals. The City of Troy’s studies will also be looked at to be sure Hoosick Street/Road all the way to the bottom is considered in tandem. There is a public participation element and he suggests at least three public meetings. He has asked for the maximum amount available. The amount is \$99,000 which includes the 10% match required from the Town. Timewise, decisions should be made during February. The CDTC is in charge of hiring the necessary consultants and they also have staff to participate.

**WARRANTS:**

Warrants No. 211174 through 211269, No. 112621001 through 112621009 and No. 120921001 through No. 120921006 were presented. Motion to approve the warrants was made by Councilman Christian and seconded by Councilman Sullivan. Unanimously approved. Individual fund expenses were as follows:

General	\$	86,588.30
Highway	\$	114,937.89
Water	\$	20,493.77
Sewer	\$	466.24
Special Sewer	\$	747.12

**FURTHER VISITORS WHO WISH TO SPEAK:**

Jessie Hoffman, 20 Russell Court, expressed his disappointment at the way Jennifer Mann had been treated at the previous Town Board Meeting regarding the PFOA testing. He considers her a dedicated volunteer and it was inappropriate and unprofessional the way she had been treated at the meeting, and deserved a public apology. Supervisor Herrington acknowledged he did become loud and may have taken things a little personally. He had been concerned that the

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results of the testing had been directed to Ms. Mann who notified participants instead of coming from the health department. He did call Jennifer the next day and apologized and told her she should feel free to come up and say whatever is on her mind at any time, assuring that this would not happen again.

Jason DelGaizo, 22 Otsego Avenue, had concerns about traffic in his neighborhood. First he wanted to be sure dump trucks going to the Hannaford project site were not using his street. Supervisor Herrington assured him the one day this happened was due to a downed pole on Lord Avenue which dangerously backed up these trucks on Route 7, and a decision was made to send them in the back way. This will not be a recurring issue. His other concern was with the trucks from Sycaway Creamery coming through the back way, claiming they are always speeding. With another traffic light on Hoosick Road he is nervous more people will try to use these back streets. Supervisor Herrington offered to look into this further.

Jim Tkacik, 387 Brunswick Road, thanked Councilman Christian for following up with the Shyne Road issues on the west end. He also asked about the east end water drainage issues to which Councilman Christian advised that the residents needed to take care of some of their own driveway culverts, and the town will be working on this area also, but probably in the spring. Mr. Tkacik said he was glad for all the attention being directed at the Route 7 issues and asked Mr. Bonesteel to make documents available relating to meetings and studies performed. He also is a big proponent of, and hopes to see, public forums held.

**ADJOURNMENT:**

Councilman Christian made a motion to adjourn the meeting, seconded by Supervisor Herrington. Unanimously approved. The meeting adjourned at 8:45 p.m.

Respectfully submitted,

William J. Lewis  
Town Clerk