

**TOWN OF BRUNSWICK  
REGULAR TOWN BOARD MEETING  
OCTOBER 13, 2022, 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 7:00 p.m.

All joined in with the salute to the flag.

**VISITORS WHO WISH TO SPEAK:**

Jim Murray, 126 McChesney Avenue, spoke about the Hoosick Road traffic.

Pulling out of McChesney is at time impossible because the traffic heading down towards Troy is stopped dead. This has gotten worse with the new Lord Ave, stoplight, and he wanted to know when someone says enough is enough! He next asked about the multiple “temporary” signs at businesses and if they were even allowed by Town Code. Mr. Golden of code enforcement stated he has actually been out recently addressing this issue and will continue to do so. Lastly, Mr. Murry asked if there were any way to stop the accumulation of garbage at the CDTA bus stops.

Heather Emery, 6 Wye Street, Christy Fronhofer, 72 Oneida Avenue, Van Fronhofer, 72 Oneida Avenue, Helen Rizzi, 6 Green Street, Sarah Legnard, 75 Oneida Avenue, Elise Ebersol, 3 Yates Street and Gary Skiff, 4 Green Street, all spoke in turn concerning the traffic coming through their neighborhood due to the backups on Hoosick Road. All spoke of the amount of traffic; vehicles speeding through ignoring posted limits and stop signs, people tossing trash, drivers or passengers verbally abusing pedestrians and more. They are all greatly concerned for the safety of the children and themselves. The discussion became a bit heated at times. Supervisor Herrington reminded everyone that the road study soon to begin, is also going to be looking at this neighborhood’s issues as part of an overall picture.

Ed Gordon, 14 Lord Avenue, had concerns about the Hannaford parking lot lights being left on past 11 pm. Mr. Golden, Code Enforcement said this is most likely due to the fact the electricians are still working there and he will look into it. Mr. Gordon also asked if a speed limit sign could be installed, as the one that used to be there is gone.

Jennifer Mann, 91 Hill Road, proposed the town could look to using municipal bonds for infrastructure improvements. If improvements don’t keep pace with development, it could strangle the opportunity for futue growth.

David Lilly, 46 Lord Avenue, stated that people are becoming so frustrated that nothing seems to be happening to address the traffic concerns, that the Town Board should expect large crowds to keep attending meetings and speak out until something is done.

Jason Laird, 4 Windfield Lane, asked for the town to fix this road. The work done previously has degrading again with major runoff problems continuing. He also doesn’t think the street sweeper has been through and the dirt/silt clogs the storm drains.

Supervisor Herrington stated he knew the commercial buildup has created issues, but reminded people that the sales tax revenue generated by these businesses keep the need to raise residential taxes at bay. Everything is costing more and the revenue is necessary.

**BUSINESS MEETING:**

**MINUTES OF THE PREVIOUS MEETING:**

Councilman Christian made a motion to accept the minutes of the September 8<sup>th</sup> Board Meeting, September 8<sup>th</sup> Public Hearing and the November 10<sup>th</sup> Special Meeting, Motion seconded by Councilman Cipperly. Unanimously approved.

**REPORTS:**

*\*Town Clerk:* William Lewis

Mr. Lewis gave his report for the month of September. \$9,169.00 will be remitted to the Supervisor's office. Rounding numbers, recycling fees accounted for \$5,125.00, Community Center fees for \$1,200.00, Pavilion fee for \$100.00, Dog License fees for \$740.00 and \$2,003.00 in miscellaneous fees making up the balance. The Community Center is steadily booking for 2023 and we continue to inform residents to book *at least* 3 months in advance or more if possible. Hunting license sales picked up, as the Deer Management permit application period ended and bow hunting season began, both on November 1<sup>st</sup>. Our commission on \$11,275.00 in DEC sales was \$625.00. Motion to accept the report was made by Councilman Sullivan and seconded by Councilman Christian. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

*\*Highway Superintendent:* Mike Bayly

Mr. Bayly gave his report for the month of September. Work included: monthly brush pick up; removed downed trees; mowed roadsides; continued road paving and patching; repaired bridge, ditched, paved and did shoulder work on Coons Road; completed culvert project on Robin Lane; installed catch basin on Killock Ave.; ditched several roads; installed signs in the Sycaway area; repaired pavement over culverts on several roads. Roads paved this season: Liberty, Shyne, Crossways, Lansing, Pleasantview and Coons.

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Motion to accept the report was made by Councilman Sullivan and seconded by Councilman Christian. 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. A report has not been submitted.

*\*Code Enforcement:* Charles Golden

Mr. Golden, gave the report for the month of September. The report showed \$9,713.15 was collected for Building Permits and Zoning and Planning Board Fees. 19 building permits were issued or renewed, 149 building/property inspections were performed and active permits totaled 363. The department had 1 code call out with follow up inspection, 12 code complaints, 13 code complaint inspections, 6 follow up complaint inspections and 0 fire inspection. 3 additional vacant/abandoned properties were identified. There are 6 Planning Board projects open or approved and 5 with the Zoning Board. 13 meetings were attended. 15 FOIL requests were received, some of which required exhaustive research. On the current major construction projects: Wendy's will begin pouring concrete Monday and Aldi's is expecting significant completion by November. A pre-construction meeting was held with CVE regarding the solar collection project off Belair Lane, and they are planning on starting in the spring. Addressing an earlier concern of a resident about the lighting at the Hannaford store, Mr. Golden informed that the final lighting study will not be completed until all the exterior lights are installed and the parking lot lights will be included. Motion to accept the report was made by Supervisor Herrington 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 September. He prepared the notice, attended and participated in a Special Meeting October 3<sup>rd</sup>; prepared the Resolutions for this evening's meeting; assisted in the preparation of 2 Introductory Local Laws submitted to the Town Board for consideration of introduction this evening; attended several meetings with staff concerning a personnel matter; attended and participated in meetings with staff and outside council on various matters on September 9<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup>, 26<sup>th</sup>, October 3<sup>rd</sup> and 7<sup>th</sup>; participated in conference calls on October 7<sup>th</sup> with outside council, town consultants and Town officials on a matter; worked with the Building Department concerning outstanding code violations, complaints and other matters involving the department; worked with the Supervisors Office on purchasing and personnel matters; worked with the Supervisors Office on required updates for the Town Employee Handbook; worked with the Building Department and other departments on FOIL requests; performed legal research, provided legal opinions and reviewed or prepared legal documents as requested by town officers and officials. Motion to accept the report was made by Councilman Christian and seconded by Councilman Sullivan. Unanimously approved.

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*\*Town Historian:* Tracy Broderick

Ms. Broderick gave her report for the month of September. She met twice with Mary Silver at the Forest Park Cemetery. She brought the ground penetrating radar mentioned at last month's meeting. They worked in the Clinton Section and located 16 graves and marked them. This area of the cemetery was used as a "Potters Field" from 1944-1954 and there are approximately 58 people buried here with no markers or stones. On Mary's second visit, 15 graves were located, beneath the current path/road, which they also marked. She is reaching out to Ed O'Donnell who worked on cleaning up the cemetery when the Town took it over in the 1990s. It was completely overgrown so she would like to determine if the road was previously there or if it just became one as the town cleared. The annual Forest Park Cemetery tour/walk will be held Saturday November 22<sup>nd</sup> at 1:00 pm. Tracy has been working on more informational signage for the event. Motion to accept the report was made by Councilman Cipperly and seconded by Councilman Sullivan. 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 September. Revenues for the month were \$5,119.77. Expenses were \$1,566.63. 21.33 tons of materials were recycled and 11.81 tons landfilled for the month. 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.

*\*Community Library:* Sara Hopkins

Ms. Hopkins gave her report for the month of September. Their Fall Fest was a great success and included 4H, Moody Farms, four local authors and cat adoptions. The next big event will be their "Haunted Trail" event October 24<sup>th</sup> through October 31<sup>st</sup> and they are asking for candy donations as well as volunteers to help decorate the library grounds. Last month there were 3,862 physical checkouts, 2,729 walk in visitors, 3,366 digital checkouts, 177 Wi-Fi users (25/day average), assisted with 140 technical usages and 455 reference questions were addressed. 735 people participated in various programs/events including the Fall Fest (338), and 17 passports were processed. They will be holding 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 Supervisor Herrington 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. 63** Resolution Amending Adopted 2022 Annual Budget. 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. 64** Resolution Approving 2023 Tentative Budget as 2023 Preliminary Budget of the Town of Brunswick. 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.

After discussion and unanimous approval, a Public Hearing for the 2023 Preliminary Budget of the Town of Brunswick was scheduled for Thursday, November 10, 2022, at Brunswick Town Hall commencing at 6:00 pm.

**Resolution No. 65** Resolution Rejecting Bond Form for Decommissioning of Solar Equipment. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Cipperly, 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. 66** Resolution Reappointing Member to the Board of Assessment Review of the Town of Brunswick. The foregoing Resolution, offered by Councilman Cipperly 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. 67** Resolution Amending Town of Brunswick Employee Handbook in Relation to Sexual Harassment Policy. The foregoing Resolution, offered by Councilman Sullivan 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. 68** Resolution Appointing and Fixing Compensation of Justice Court Clerk. 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.

Town Attorney Cioffi gave overviews of the content and purpose of the following Introductory Local Laws that had been drafted which may be offered at this meeting by any Board Member who chooses to.

**Introductory Local Law No. 6** “A Local Law Amending the Town of Brunswick Zoning Law” was offered by Councilman Sullivan.

**Resolution No. 69** Resolution Declaring SEQRA Lead Agency, Directing Referrals of Introductory Local Law No. 6 of 2022, and Scheduling Public Hearing. 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 Absent;

Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

After discussion and unanimous approval, a Public Hearing for Introductory Local Law No. 6 was scheduled for Thursday, November 10, 2022, at Brunswick Town Hall commencing at 6:15 pm.

**Introductory Local Law No. 7** “A Local Law Establishing a Twelve Month Moratorium on the Filing, Acceptance, Review, or Determination of Any Land Use Applications Pertaining to Commercial Solar collector Systems” was offered by Councilman Christian.

After discussion and unanimous approval, a Public Hearing for Introductory Local Law No. 6 was scheduled for Tuesday, November 15, 2022, at Brunswick Town Hall commencing at 6:30 pm.

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**CORRESPONDENCE:**

Joan Casey, Farm to Market Road, wrote thanking the Highway Department for a great job ditching the road near her home. It’s the best she has ever seen it in all the years she has lived here.

The Town received a letter from NYS DOT concerning the push for a lower speed limit on the section of Route 2 heading towards Troy. Without committing to an exact time, they did agree to do a study of this stretch. At the same time they noted that there had been a previous study in 2015 when it was found to be unwarranted to change. The may be hope for the residents who have strongly advocated for the change. At least there was a response.

Betty Fucci

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

**WARRANTS:**

Warrants No. 220904 through 221021, No. 91622001 through 91622007, No. 93022001 through 93022009 and No. 101422001 through 101422006 were presented. Motion to approve the warrants was made by Councilman Sullivan and seconded by Councilman Christian.

Unanimously approved. Individual fund expenses were as follows:

General	\$	176,121.57
Highway	\$	59,915.21
Water	\$	562,641.97
Sewer	\$	353.81
Special Sewer	\$	349.58
Special Fire Districts	\$	72,343.04

**FURTHER VISITORS WHO WISH TO SPEAK:**

None.

**ADJOURNMENT:**

Supervisor Herrington made a motion to adjourn the meeting, seconded by Councilman Christian. Unanimously approved. The meeting adjourned at 9:27 p.m.

Respectfully submitted,

William J. Lewis  
Town Clerk