

**TOWN OF BRUNSWICK  
REGULAR TOWN BOARD MEETING  
JULY 13, 2023, 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:** Attorney Thomas Cioffi, Attorney Andrew Gilchrist, 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:**

Jennifer Mann, 91 Hill Road, spoke regarding the closing of the Burdett Birth Center in Troy. Many throughout Rensselaer County are opposed to this. It severely limits availability of accessible care for the Rensselaer County residents and neighboring counties as well. She presented to the board, a copy of a Resolution the City of Troy drafted asking Governor Hochul to step in to prevent its closing, asking that the Brunswick Town Board consider drafting its own and forwarding it to the Governor's office. Hopefully if there is enough support it will remain open.

Christy Fronhofer, 72 Oneida Avenue, thanked Supervisor Herrington for his efforts to address issues in her neighborhood, including arranging for Mr. Bonesteel, Town Engineering Consultant to come through for a firsthand look at the area. She also thanked Mike Bayly, Highway Superintendent, for proactively cleaning storm drains, which are working perfectly. She also expressed her opposition to the proposed Chick-fil-A; thought the town should encourage use of empty spaces for new businesses seeking to locate here: require new business construction design to reflect more of the character of our town, not be "boxes". Supervisor Herrington noted that Stewart's Shops and several others have done so at the Planning Board's request.

Bill Ryan, 8 Genesee Street, inquired if the recent traffic enforcement efforts of the County Sheriff's in their neighborhood was going to continue on a more permanent basis. Mr. Herrington noted that the County Sheriffs and the State Police as well are spread thin and there is no way to guarantee a presence. Mr. Ryan also stated that Google Maps sends people through the neighborhood. Could anything be done about that?

Liz Habiniak, 31 Genesee Street, stated she was almost hit walking on Genesee Street and would appreciate whatever could be done.

**BUSINESS MEETING:**

**MINUTES OF THE PREVIOUS MEETING:**

Councilman Sullivan made a motion to approve the minutes of the June 8<sup>th</sup> Town Board Meeting. Motion seconded by Councilman Balistreri. Unanimously approved.

**REPORTS:**

*Town Clerk:* William Lewis

Mr. Lewis gave his report for the month of June. \$17,775.51 will be remitted to the Supervisor's office. Summer Camp registrations accounted for \$11,575.00, recycling fees for \$3,613.00, Community Center fees for \$1,200.00, Pavilion fees for \$200.00, Dog License fees for \$424.00 and \$762.00 in miscellaneous fees - vital records and permits - making up the balance. The Community Center had 8 new reservations and bookings are filling up for the rest of the year.

The Beach Pavilion had two new reservations and it is also booking quickly. Our share of \$2,578.00 in DEC sales was \$125.00. Fishing license sales are still strong and hunting licenses go on sale the first week of August. The Summer Camp Program began June 27<sup>th</sup> and has been running smoothly. 142 children are attending this year. Beach passes are still in high demand and residents are being informed that they will also allow entry to our recycling facility in the near future. A Brunswick Hazardous Waste Event, in coordination with Rensselaer County, has been scheduled for Saturday, September 16<sup>th</sup>, at the town complex. Pre-registration is required and space is limited! Information and links to the registration page are available on the town website, [www.townofbrunswick.org](http://www.townofbrunswick.org) 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: Mike Bayly

Mr. Bayly gave his report for the month of June. Work included: road ditching, patching & paving; roadside brush cutting and mowing; monthly residential brush pickup; sports fields mowing; beach work and repairs; recyclables hauling; military banner installation and repairs; street sign replacements; shared services with Rensselaer County Highway Department. 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 June. All required water testing for the month was completed. The main focus has been on meter reading. At this time 2,239 of 2,976 have been read. There is an ongoing issue with a sewer main on North Lake Avenue and also on West Lane and Frear Park Drive. Camera inspections and repairs should be prioritized. It appears the problem is root intrusion. He will be monitoring two solar projects which are about to begin, one off Belair Lane (CVE) and one off NY 278 (Tamarac Solar). Motion to accept the report was made by Supervisor Herrington and seconded by Councilman Cipperly. Unanimously approved. 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 June. The report showed \$13,591.05 was collected for Building Permits and Zoning and Planning Board Fees. 24 building permits were issued or renewed, 135 building/property inspections were performed and active permits totaled 328. The department had 2 code call outs with inspections, 22 code complaints, 22 code complaint inspections, 12 follow up complaint inspections and 1 fire inspection. 5 additional vacant/abandoned properties were identified or suspected with the Assessors assistance. There are 5 Planning Board projects open or approved and 6 with the Zoning Board. 6 FOIL requests were received as well as zoning inquiries. 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.

Town Attorney: Thomas Cioffi

Mr. Cioffi gave his report for the month of June. He attended and participated in outside meetings with staff and outside council on various matters at the Town Hall, by conference call, or remote meeting on May 15<sup>th</sup>, 17<sup>th</sup>, 19<sup>th</sup>, 22<sup>nd</sup>, 23<sup>rd</sup>, 30<sup>th</sup>, June 2<sup>nd</sup>, and 5<sup>th</sup>; prepared the resolutions tonight's meeting; worked with outside council on a pending litigation matter, working with a law firm engaged by our insurance carrier to represent the Town with respect to some recently commenced litigation; worked with various departments on responding to a comprehensive FOIL request; working with the building department regarding some outstanding enforcement matters; working with town officials regarding the amendment of the water transportation agreement between the town, whereby Brunswick transports water purchased from the city of Troy; working on a report required by our auditors to complete our 2022 audit; continuing to work with council for the town's insurance carrier in connection with

representation of the town with regard to some recently commenced litigation; and performed legal research, provide legal opinions, review and prepare legal documents as requested by town officials. Motion to accept the report was made by Supervisor Herrington and seconded by Councilman Sullivan. Unanimously approved.

Town Historian: Tracy Broderick

Ms. Broderick gave her report for the month of June. She researched the number of houses in town and when they were built. Using County tax records and the Diamond Map program, she was surprised to find how many homes from the 1700s were still standing. The oldest house listed is on Kreiger Lane and was built in 1700. Another built in 1710 was on North Lake Ave, she knows as the Stone House. Of homes built between 1700 and 1798, only 23 still stand. The 26 homes built in 1800 are still in existence. She is finishing up her Historian's Page for the Town's website. 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.

Recycling Coordinator: Thomas Engster

Mr. Engster was not able to attend the meeting. His written report for the month of June has been received and is on file in the Town Clerk's Office.

Community Library: Sara Hopkins

Ms. Hopkins gave her report for the month of June. Last month there were 3566 physical checkouts, 2,750 walk in visitors, 3,361 digital checkouts, 185 Wi-Fi users (23/day average), assisted with 121 technical usages and 343 reference questions were addressed. 825 people participated in various programs, and 16 passports were processed. The Summer Reading Program has started and all ages are welcome. Technically in July, but prior to this meeting, they held their Medieval Day on the 8<sup>th</sup> and the Children's Clothing Swap on the 10<sup>th</sup> & 11<sup>th</sup>, and they are planning to hold another one in the fall. On July 18<sup>th</sup> at 5:00pm Master Gardener Denise Maurer will discuss small garden design. On July 22<sup>nd</sup> the 2023 Living History Civil War Event will be held from 11:00 to 2:30pm. 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 Christian 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. 40** RESOLUTION TO APPLY FOR FUNDING 2023 CONSOLIDATED FUNDING APPLICATION (CFA) WATER QUALITY IMPROVEMENT PROGRAM.

(WQIP). 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.

**Resolution No. 41** RESOLUTION AUTHORIZING EXECUTION OF STORMWATER MANAGEMENT AGREEMENT- NORTH TROY SOLAR. 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 Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 42** RESOLUTION ACCEPTING BOND FOR DECOMMISSIONING OF SOLAR EQUIPMENT- NORTH TROY SOLAR. 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 Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**NEW BUSINESS:**

Thomas Murley, 32 Hialeah Drive, developer of the Diamond Rock Plaza on Oakwood Avenue, with 9,500 square feet of retail space and plans for a car wash on the attached lot. He has not been able to interest anyone to build a car wash in over 8 years, but has recently been approached by a supermarket chain interested in locating there. This would require a zoning change from Industrial Light (IND-L) to Business (B-15). Attorney Gilchrist advised that procedurally, the Town Board would review the request. He submitted his written request to Supervisor Herrington. If the Town Board accepted the request a formal application would move forward through the process, which would require a Local Law and a public hearing on the proposed law. If the zoning change was then adopted, the site plan review process would begin for the specific construction. Mr. Murley noted that little would change as far as road access to the site or water and sewer infrastructure already in place. .

**CORRESPONDENCE:**

Darlene Miller, 896 Church Street, wrote thanking the Highway Department for clearing debris from the small cemetery near the State Police station.

Mary Willis, 3 McKinley Avenue, called to compliment the great paving work done in the Mountain View area. Much nicer and safer!

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

**WARRANTS:**

Warrants No. 230599 through 230722, No.62323001 through 62323009 and No.70723001 through 70723006 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	\$	85,143.99
Highway	\$	495,981.73
Water	\$	13,090.70
Sewer	\$	320.09
Special Sewer District #6	\$	730.37

**FURTHER VISITORS WHO WISH TO SPEAK:**

Jim Tkacik, 387 Brunswick Road, had followed the proceeding of the Planning Board regarding a retail cannabis store application. It had been approved with restrictions, notably the hours of operation allowed, 9:00 am to 9:00 pm. He noted that State Law allows operation from 8:00 am until midnight (2:00 am on weekends), and asked if this will or can be a permanent provision on any future applications. This point was discussed and will be looked into further.

Betty Fucci, 36 Killock Avenue, decried the lack of minutes for many months. Next, she has witnessed a serious traffic situation on Hoosick Road. When backed up, some people use the center turn lane to bypass traffic, often for a very long distance, and very fast.

Sara Legnard, 75 Oneida Avenue, asked about power poles she had seen piled behind Planet Fitness and if something had been approved for that area. Mr. Golden, Code Enforcement,

confirmed there were no projects for that area and most likely they were to be used for the hookup of the solar farm off Belair Lane.

Jennifer Mann, 91 Hill Road, Wished to honor Donna Milks, who passed away from complications following surgery. She was a wonderful person and could always be counted on to work the long hours as a poll worker for early voting and on election days. She will be sorely missed.

Christy Fronhofer, 72 Oneida Avenue, addressing a previous concern, said the Hoosick Road Committee was aware of the traffic light issues and that “Smart Lights” are being proposed, which would be synchronized to improve flow and keep the intersections clear for traffic entering.

**ADJOURNMENT:**

Councilman Balistreri made the motion to adjourn the meeting honoring the passing of Center Brunswick fireman Al Doyle, Water Superintendent Bill Bradley’s mother and Donna Milks. Motion was seconded by Councilman Sullivan. Unanimously approved. The meeting adjourned at 8:10 p.m.

Respectfully submitted,

William J. Lewis  
Town Clerk