

**TOWN OF BRUNSWICK  
REGULAR TOWN BOARD MEETING  
AUGUST 10, 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:** 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:**

Matthew May, 20 Windfield Lane, spoke regarding an ongoing issue with drainage from the roadway into his drive and property as well as the condition of the entire road. He claimed that he has been reporting this since 2018 and nothing has been done alleviate the problem. Councilman Christian stated they had recently been at the site for repairs. Mr. May said that these repairs are already falling apart and have not addressed the issue at all. He is very frustrated that it has taken so long to even do this. As is, he said all the water is coming down the road into the one storm drain to a culvert which discharges into his driveway. Councilman Christian had not been aware until now that the previous repair was not working out. After much back and forth discussion, it was agreed that more work on the road in its entirety was needed, and was planned, but the town was not quite ready due to heavy construction equipment travelling over it. Supervisor Herrington talked about the issue briefly and said they will plan on repairing the road next year.

Ann Glynn, 8 Windfield Lane, supported Mr. May's observations about the condition of their road overall, not just his particular issue. In her case the drainage system at the end of her drive is collapsing and the whole road hasn't been taken care of for years. It is also dangerous for children. Their neighborhood pays plenty of taxes and agrees it is way overdue to repair the road.

John Kazunas, 7 Windfield Lane, (2001) also backed up the comments from the others. The original developer, Cobblestone's 1989 plans showed a temporary cul-de-sac detention basin areas & storm water details. After the development was sold, a 2008/09 approval of 3 lots at the end of the cul-de-sac was granted. He believes the planning board should have required modification of the storm water plans at this time before approval. The board bears some responsibility in this situation. Also why not develop a new plan now? The current basins appear to be on the wrong side of the road and the runoff in winter constantly ices over. These issues need to be addressed with any road work taken on.

Jason Laird, 4 Windfield Lane, sweeper not coming around and sand/dirt is washing into basins. Temporary fixes have not worked out. Water is still skirting around the upper catch basins and continuing down the road. Also there should be a routine maintenance schedule for the catch basins and when road is being repaired/paved all new troughs/drains should be installed.

**BUSINESS MEETING:**

**MINUTES OF THE PREVIOUS MEETING:**

Councilman Sullivan made a motion to approve the minutes of the July 13<sup>th</sup> Town Board Meeting. Motion seconded by Councilman Cipperly. Unanimously approved.

**REPORTS:**

*Town Clerk:* William Lewis

Mr. Lewis gave his report for the month of July. \$7,457.54 will be remitted to the Supervisor's office. Recycling fees accounted for \$4,333.00, Community Center fees for \$1,800.00, Pavilion fees for \$200.00, Dog License fees for \$475.00 and \$649.00 in miscellaneous fees - vital records and permits - making up the balance. The Community Center had 12 new reservations and the Beach Pavilion had two. Our share of \$1,395.00 in DEC sales was \$77.00. 2023-2024 hunting licenses are now available and sales are strong as usual. Though the season is winding down, beach (resident) passes are still in demand partially due to the knowledge that they will also allow entry to our recycling facility in the near future. A reminder that the Brunswick Hazardous Waste Event, is scheduled for Saturday, September 16<sup>th</sup>, at the town complex, and 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 Balistreri and seconded by Councilman Cipperly. 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 July. Work included: road ditching, patching & paving; driveway finishing after paving; prepping roads for fog spraying; cleaning and rebuilding of catch basins; roadside brush cutting and mowing; monthly residential brush pickup; sports fields mowing; beach work and repairs; complete cleanup of recycling area; recyclables hauling; military banner installation and repairs; street sign replacements; shared services with Rensselaer County, Schaghticoke and Grafton; assisted county with road mowing. 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 July. All required water testing for the month was completed. His report was a bit short due to his all day assistance on an emergency repair to a water service line running under South Lake Avenue where they replaced an older lead service. He thanked the Highway Department for their assistance. Meter replacements continue and they are almost finished with meter readings. The billing should go out August 23<sup>rd</sup> or 24<sup>th</sup>. Town wide hydrant flushing was being done last week and only the Mountain View area remains to be completed, most likely in September. Several hydrants were found to be in need of repair. He also shared that after 36 years as Water Department Foreman, Wayne Savage was retiring. His knowledge of the Town's infrastructure will be sorely missed. 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.

Code Enforcement: Charles Golden

Mr. Golden gave his report for the month of July. The report showed \$14,382.10 was collected for Building Permits and Zoning and Planning Board Fees. 34 building permits were issued or renewed, 95 building/property inspections were performed and active permits totaled 330. The department had 3 code call outs with inspections, 13 code complaints, 16 code complaint inspections, 8 follow up complaint inspections and 1 fire inspection. 3 additional vacant/abandoned properties were identified or suspected with the Assessors assistance. There are 6 Planning Board projects open or approved and 5 with the Zoning Board. 7 FOIL requests were received as well as zoning inquiries. Motion to accept the report was made by Councilman Balistreri 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 July. He attended and participated in meetings with staff and outside counsel at Town Hall, by conference calls or video meetings on July 17<sup>th</sup>, 19<sup>th</sup>, 21<sup>st</sup>, 26<sup>th</sup> and August 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup>; prepared the resolution for this evening's meeting; worked with outside counsel on recently commenced pending litigation matter; worked with a law firm

retained by our insurance carrier on pending litigation; had discussions and performed research regarding an ongoing neighbor dispute over driveway and parking issues; worked with outside counsel and Town consultants on matters concerning commercial solar projects and the moratorium which is in place; worked with the Building Department on outstanding enforcement matters; worked with the Supervisor's Office on personnel and purchasing matters; engaged in discussions with developers and their representatives regarding potential planned development and re-zoning applications being made to the Town Board; prepared and reviewed various legal documents, and performed legal research and advisement 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: Tracy Broderick

Ms. Broderick gave her report for the month of July. She shared that her aunt, Betsy Durivage had just turned 95, and she is the person responsible for getting her involved with the Historical Society originally. Her aunt recalled there was a slaughterhouse on Creek Road owned by William Rowe, and in researching this she also found he owned the Heldeberg, a restaurant /bar/dance club, which unfortunately burned in August of 1950. She has found quite a bit information online from an old newspaper, The Troy Wig. She is working on exhibits for the annual Forest Park Cemetery walk in mid-October. She plans on more poster board displays of historical information for attendees to read as they tour the grounds. While researching Forest Park Cemetery burials, she kept encountering references to the Sunnyside Cemetery, which we now know as the Eagle Mills Cemetery. She is finishing up her Historian's Page for the Town's website. 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.

Recycling Coordinator: Thomas Engster

Mr. Engster gave his report for the month of July. First he wanted to thank Mike Bayly and crew for working to alleviate the pigeon problem in the recycling shed. Netting has been installed which seems to be working out. Revenues from bags sold, light iron, cardboard and miscellaneous appliances/electronics totaled \$4,444.156. Expenses were \$1,242.15 for landfill fees and \$580.00 for single stream recyclables. 27.03 tons of materials were recycled and landfilled for the month. Motion to accept the report was made by Councilman Balistreri and seconded by Councilman Cipperly. Unanimously approved. A copy of the report is on file in the Town Clerk's Office.

Community Library: Sara Hopkins

Ms. Hopkins gave her report for the month of July. Last month there were 3895 physical checkouts, 3,156 walk in visitors, 4,097 digital checkouts, 202 Wi-Fi users (21/day average), assisted with 81 technical usages and 371 reference questions were addressed. 1083 people participated in various programs, and 15 passports were processed. They have started working with some Master Gardeners on their gardens. They are beginning to plan their annual Fall Fest, scheduled for September 23<sup>rd</sup> from noon to 4 pm, including at 3 pm, a special reptile show presented by Uncharted Wilds. 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 Sullivan and seconded by Councilman Christian. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

## **RESOLUTIONS:**

**Resolution No. 43** RESOLUTION APPROVING, AND AUTHORIZING SUPERVISOR TO EXECUTE, 2023 ANIMAL SHELTER AGREEMENT. The foregoing Resolution, offered by Councilman Sullivan 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.

Councilman Cipperly gave a brief explanation of the events leading up to the need for this resolution. Mohawk Hudson Humane Society decided not to renew Brunswick's and many other municipalities' contracts for housing/accepting seized dogs. NYS Ag & Markets requires municipalities to have a shelter, leaving everyone in the lurch. There are many parts to running a shelter – dangerous, sick or injured animals needing veterinary care for instance - and Capital Agway has stepped in to help as best they can with their limited space and resources. Boght-Oakwood Veterinary Clinic has agreed to accept these dogs and this resolution will approve their proposed contract.

**Resolution No. 44** RESOLUTION URGING NEW YORK STATE TO PREVENT THE PLANNED CLOSURE OF THE BURDETT BIRTH CENTER AT SAMARITAN HOSPITAL BY ST. PETER'S HEALTH PARTNERS. 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 Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**NEW BUSINESS:**

**CORRESPONDENCE:**

None.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

Councilman Cipperly asked about the status of the solar farm moratorium and would like to be able to meet to discuss. The moratorium expires soon. Also he has heard from many people upset with an advertisement flyer which is being tossed onto driveways and lawns in town, and if we could do anything about it. Tracy Broderick offered that these were ads only and had nothing to do with the Advertiser publication. One resident had noted that there was an opt-out instruction but who opted in in the first place?

Rebecca Del Gaizo, Deputy Town Clerk,

**\*WARRANTS:**

Warrants No. 230723 through 230835, No.72123001 through 72123009 and No.80423001 through 80423006 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	\$	111,570.17
Highway	\$	106,992.21
Water	\$	105,534.64
Sewer	\$	294.58
Special Sewer District #6	\$	427.17

**FURTHER VISITORS WHO WISH TO SPEAK:**

Alix Duggan, President, Brunswick Community Library, let everyone know that they had received the 2022 Adult Programming Award from the Upper Hudson Library Association

noting there were 36 member libraries including large ones like Albany in the running. She and Library Director Sara Hopkins were invited to give a presentation and speech at the UHLA banquet while accepting their award. The award is displayed at the library.

**ADJOURNMENT:**

Councilman Christian made the motion to adjourn the meeting. Motion was seconded by Councilman Sullivan. Unanimously approved. The meeting adjourned at 8:30 p.m.

Respectfully submitted,

William J. Lewis  
Town Clerk