

**TOWN OF BRUNSWICK  
REGULAR TOWN BOARD MEETING  
SEPTEMBER 14, 2023, 7:00 P.M.  
TOWN HALL**

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

**Board Members Absent:** Councilman Sullivan and Councilman Cipperly.

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

Supervisor Herrington called the meeting to order at 7:10 p.m.

All joined in with the salute to the flag.

**VISITORS WHO WISH TO SPEAK:**

Joe Thouin, 2704 Brunswick Meadows Way, Board of Directors Treasurer for the Brunswick Meadows Community Owners Association advised the board concerning ongoing issues with the cost of repairs to condominiums in the development, necessitated by what he and the HMA point to as poor construction by Pigliaventi Builders and their subcontractors. They have had to repair broken sewer lines and burst fire suppression water lines (from freezing), replace insufficient insulation, repair roof leaks and replace roof vents. He quoted costs, when added up, exceeded \$150,000.00. The COA has had to assess each owner \$1,100.00 to rebuild their reserve funds which is very rare for a relatively new development. What he would ask of the Town, was to take over maintenance of the roads within the development. Considering the as built projected life span of the roads at 15 years, the amount of taxes paid by residents over this time would easily cover any future repairs or maintenance. If the Town could take them over within a month they would also be able to avoid costly snow removal contracts, while only adding the ½ mile to the Town's plowing. There was some discussion about the procedures for dedicating roadways and the time needed to implement. There will be further consideration on this topic.

Jennifer Mann, 91 Hill Road, wanted to bring attention to the issue of drivers speeding down the center turn lanes on Route 7 to beat traffic, and asked for any help to address this. Sycaway residents are pleased with the work done on road signage and markings on the north side of route 7 and she asked if the same makeover was planned for the south side. Supervisor Herrington stated it was. Lastly Ms. Mann offered "Save Burdett Birth Care Center" signs to anyone interested. The Town Board recently approved a Resolution in support of keeping the center open.

Matthew May, 20 Windfield Lane, asked for any updates on the drainage situation on his road since the last meeting, where he had voiced his displeasure with the road condition and the previous unsuccessful repairs. At last month's meeting, Supervisor Herrington had said that major improvements in drainage would be made in conjunction with roadwork next year. Mr. May also had concerns with the installation of a 16" culvert installed at a neighboring home adding to the drainage issue, and questioned whether new site drainage plans had been approved when the original development had been expanded in 2006. Supervisor Herrington advised that this had been a Planning Board matter and Mr. May said he would bring it up with them.

**BUSINESS MEETING:**

**MINUTES OF THE PREVIOUS MEETING:**

None.

## **REPORTS:**

### **Town Clerk:** William Lewis

Mr. Lewis gave his report for the month of August. \$8,105.50 will be remitted to the Supervisor's office. Collected were recycling fees of \$4,478.00, Community Center fees of \$1,500.00 (10 new reservations), Dog License fees of \$700.00, Vital Statistics fees of \$495.00, Peddlers fee of \$50.00 and Dog Impoundment fees/fines of \$220.00. Also, our share of \$11,924.00 in DEC sales was \$661.00. As reflected in sales, hunting licenses are strong as usual and should continue up to deer season opening in November. He reminded all to stop in and register your vehicles in order to obtain a pass allowing access to the Recycling Center from now on as well as the Town Beach next summer. Also a reminder that the Hazardous Waste day was this Saturday, September 16<sup>th</sup> for residents who pre-registered and if there were any questions to call Anne at the county at 518 270-2888. 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 August. Work included: road prepping, patching & paving; roadside mowing, brush cutting and ditching; cleaning culverts and vacuuming catch basins; monthly residential brush pickup; sports fields mowing; end of season beach cleanup and repairs; recyclables hauling; interior work at the Highway Department Offices and Historical Society; cleanup of Forest Park Cemetery. 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.

### **Water & Sewer:** Bill Bradley

Mr. Bradley gave his report for the month of August. All required water testing for the month was completed. Water bills have gone out and there have been a number of complaints about not receiving them. He doesn't think the Postal Service is doing a very good job. He plans on changing the pre-sort on the next billing and posting the bill register on line. He is currently monitoring two commercial solar farm installations for storm water regulations compliance and has been meeting with developers of a third project due to begin. New wetland regulations have taken some areas out of the jurisdiction of the Army Corp of Engineers and will no longer be protected. Some will revert to DEC regulation in 2025 but he urges all residents to be aware of the need for wetlands and their protection. He continues setting up the framework for identifying and documenting lead service lines in town in order to comply with the new lead and copper rules. 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.

### **Code Enforcement:** Charles Golden

Mr. Golden gave his report for the month of August. The report showed \$39,856.70 was collected for Building Permits and Zoning and Planning Board Fees. 25 building permits were issued or renewed, 100 building/property inspections were performed and active permits totaled 335. The department had 2 code call outs with inspections, 11 code complaints, 11 code complaint inspections, 7 follow up complaint inspections and 1 fire inspection. 1 additional vacant/abandoned property was identified or suspected with the Assessors assistance. There are 4 Planning Board projects open or approved and 3 with the Zoning Board. 8 FOIL requests were received as well as zoning inquiries. His assistant, Mike McDonald has retired and will need to be replaced. 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.

Town Attorney: Thomas Cioffi

Mr. Cioffi gave his report for the month of August. He attended and participated in meetings with staff and outside counsel at Town Hall, by conference calls or video meetings on August 16<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup>, 24<sup>th</sup>, 25<sup>th</sup>, 31<sup>st</sup> and September 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup> and 13<sup>th</sup>; prepared the resolutions for this evening's meeting; worked with outside counsel on a pending litigation matter; worked with a law firm retained by our insurance carrier on pending litigation; worked with outside counsel and Town consultants on matters concerning commercial solar projects; 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; worked on an appeal pending before the Town Zoning Board where he represents the Town's Code Enforcement Officer; participated in a closing of financial agreements regarding the purchase of a fire truck for the Center Brunswick Fire department; prepared a budget submission for the Town Attorneys' Office towards inclusion in the 2024 tentative budget; 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 August. She continued research on the families buried in Forest Park Cemetery in preparation for the annual cemetery tour on October 21<sup>st</sup>. Sign up is through the Historical Society's website, which is mostly to get a feel for attendance. She has started researching Cropseyville, which was named for Valentine Cropsey, whose family moved to the area in the 1800's. Mr. Cropsey became very prominent in town. He purchased a small grist mill and, after making many improvements, it became very well known in the region. He also was involved in the formation of the Presbyterian Church. Cropseyville had many unique businesses one being the Blue Factory on South Road. It was founded by Vermonters Cortland Field and Israel Howe in the 1700's to manufacture Prussian Blue pigment used in paints and dyes. The site provided the clear water and timber they needed to produce potash used in production. Later Samuel Davis purchased the factory and it was successful for over five generations, becoming one of only two factories in the whole United States producing the pigment. As materials for manufacturing ran out they were forced to source out these ingredients. Before WW I they were importing some supplies from Germany, which of course at that point trade ended. Eventually modern science made production easier and the factory closed in 1914. There was also a cradle factory (farm implements) a tannery, both a woolen and a cotton factory, a sash and blind factory, as well as several other businesses. There was also a village saloon run by George McChesney at the intersection of Route 2 and Farm to Market Road. 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.

Recycling Coordinator: Thomas Engster

Mr. Engster gave his report for the month of August. Revenues from bags sold, light iron, cardboard and miscellaneous appliances/electronics totaled \$4,625.83. Expenses were \$1,999.10 for landfill fees, \$580.00 for single stream recyclables, 1,625.80 for mixed household batteries and 1,354.00 for tires, totaling \$5,559.40. 44.10 tons of materials were recycled and landfilled for the month. Motion to accept the report was made by Supervisor Herrington and seconded by Councilman Balistreri. 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 August. Last month there were 4047 physical checkouts, 3,156 walk in visitors, 4,321 digital checkouts, 192 Wi-Fi users (20/day average),

assisted with 81 technical usages and 371 reference questions were addressed. 669 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. A few programs coming up: Poetry Circle, 9/29; Tinkergaten 9/30; Equestrian Artist Sandy Monahan, 10/6; and back by popular demand, Kids Clothing Swap 10/13-1016. 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 Balistreri. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

**RESOLUTIONS:**

**Resolution No. 45** RESOLUTION ACCEPTING BID, AWARDING CONTRACT, AND AUTHORIZING SUPERVISOR TO EXECUTE CONTRACT ON BEHALF OF THE TOWN OF BRUNSWICK B GRINDING AND REMOVAL OF BRUSH AND WOOD STOCKPILED AT TWO LOCATIONS. 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 Absent; Councilman Christian, Voting Aye; Councilman Sullivan, Voting Absent; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 46** RESOLUTION ACCEPTING APPLICATION FOR AMENDMENT OF THE ZONING LAW OF THE TOWN OF BRUNSWICK, APPOINTING CONSULTING ENGINEER AND SPECIAL SEQRA COUNSEL, AND REFERRING APPLICATION TO THE PLANNING BOARD AND THE RENSSELAER COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING - MATOPATO, LLC - VACANT LAND LOCATED AT 291 OAKWOOD AVENUE - TAX PARCEL NO. 80.00-2-2.12. 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 Absent; Councilman Christian, Voting Aye; Councilman Sullivan, Voting Absent; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 47** RESOLUTION ACKNOWLEDGING RECEIPT OF PLANNED DEVELOPMENT DISTRICT AMENDMENT SKETCH PLAN SUBMISSION, SCHEDULING SKETCH PLAN CONFERENCE, AND APPOINTING TOWN LEGAL AND ENGINEERING CONSULTANTS- BRUNSWICK SQUARE PLANNED DEVELOPMENT DISTRICT- WALMART STORE #2370 - NYS ROUTE 7 AND MCCHESENEY AVE. The foregoing Resolution, offered by Councilman Balistreri and seconded by Councilman Christian, was duly put to a roll call vote as follows: Councilman Cipperly, Voting Absent; Councilman Christian, Voting Aye; Councilman Sullivan, Voting Absent; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 48** RESOLUTION ADOPTING REVISED SEXUAL HARASSMENT POLICY AND COMPLAINT FORM AND AMENDING TOWN OF BRUNSWICK EMPLOYEE HANDBOOK/PERSONNEL POLICY. 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 Absent; Councilman Christian, Voting Aye; Councilman Sullivan, Voting Absent; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 49** RESOLUTION DECLARING ITEMS TO BE SURPLUS PROPERTY. 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 Absent; Councilman Christian, Voting Aye; Councilman Sullivan, Voting Absent; 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 Balistreri advised everyone that on October 4<sup>th</sup> at 2:18 pm, there will be a test emergency alert system which will broadcast over all media.

Supervisor Herrington was at the scene of a house fire in Springbrook and wanted to thank the volunteer fire companies for their heroic efforts which saved the house.

Wayne Bonesteel, Consulting Engineer, gave a brief update on the Route 7 corridor study. He has had monthly meetings with the DOT, the CRTCC1 a month DOT Him CRTCC and consultants hired for the study. There has been one public outreach and online poll, and one pop up meeting at Walmart which was well attended. There was also a study advisory committee meeting to take stock of data that has been gathered along with ideas for moving the process forward. There will be one more public outreach meeting for people to review and comment on recommendations made by the committee before the final report comes out.

Rebecca Del Gaizo, Deputy Town Clerk,

**WARRANTS:**

Warrants No. 230836 through 230958, No.81823001 through 81823010, No.90123001 through 90123006 and No. 91523001 through 91523006 were presented. Motion to approve the warrants was made by Councilman Balistreri and seconded by Councilman Christian. Unanimously approved. Individual fund expenses were as follows:

General	\$	139,166.32
Highway	\$	174,802.01
Water	\$	9,473.24
Sewer	\$	823.28
Special Sewer District #6	\$	1,193.81
Special Fire Districts	\$	10,628.24

**FURTHER VISITORS WHO WISH TO SPEAK:**

Jim Tkacik, 387 Brunswick Road, asked if a consultant report had been filed concerning solar farm installations and whether there has been a connection to coordinate with the County on these matters. Mr. Bonesteel, as part of the consulting firm, has been working on the report, which on their end is mostly for technical issues and zoning for solar farms. Mr. Tkacik feels if there is a moratorium to be had, it should be for development on Hoosick Road. He also had an issue with Walmart seemingly moving ahead, without approvals, on storage at their site.

Bonnie Fucci, Killock Avenue, agreed that new businesses should not be approved along Hoosick Road. She pointed out that a Chick-Fil-A has applied and it should not be considered. If with this current study the corridor could be improved, why continue to jam it up?

Louis Hutter, 228 White Church Road, was not pleased with the States' repaving of Route 2 in Eagle Mills. Also there are still conflicting speed limit signs on the road in opposite directions, and maybe the Town could give the State a push to fix this.

Alix Duggan, President, Brunswick Community Library Board, thanked the Town for letting them participate in the 50/50 raffles this summer at the concerts. They were very helpful as a fundraiser. She wanted to 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.

Supervisor Herrington noted that they had been working on the Sycaway issues with through traffic and will continue. He has also been in contact with the Sheriff Department about patrolling, but of course they have a very large area to look after.

**ADJOURNMENT:**

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

Respectfully submitted,

William J. Lewis  
Town Clerk