

**TOWN OF BRUNSWICK
REGULAR TOWN BOARD MEETING
OCTOBER 12, 2023, 7:00 P.M.
TOWN HALL**

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

Board Members Absent: Councilman Christian.

Also Present: Town Attorney, Thomas Cioffi, Town Clerk, William Lewis, and Deputy Town Clerk Rebecca Del Gaizo.

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:

Joe Thouin, 2704 Brunswick Meadows Way, Board of Directors Treasurer for the Brunswick Meadows Community Owners Association and on behalf of the other 92 owners, he is seeking an update to their request for the Town to take over the internal roads within Brunswick Meadows Way for maintenance and repairs. Mr. Gilchrist briefed Mr. Thouin on the original PDD which contained conditions for approval such as that the roadways would remain private and the town would not take over any roadways within Brunswick Meadows Way. Procedurally, the HOA could request an amendment to the PDD. Mr. Gilchrist suggested to Mr. Thouin to review the Town's Zoning Law section pertaining to Planned Development Districts. Mr. Gilchrist said there is no actual application, however a detailed sketch plan needs to be submitted. Any additional questions can be directed to the Town's Building Department.

Jim Tkacik, 387 Brunswick Road, inquired about updates relating to the solar moratorium. Mr. Tkacik commented the current moratorium expires in two months and he is concerned with PILOT payments versus straight taxation to maximize income. Mr. Gilchrist thoroughly explained the reasoning behind the moratorium and the issues related to PILOT payments. The town had heard from various solar developments that \$6,000 per megawatt was too expensive and have received pushback. The town has requested from the county information relating to other solar projects with PILOT payments to compare rates with other municipalities. The Town would like to get a more accurate rate to determine the economics of the projects and environmental impact to society. Mr. Tkacik then commented on the Walmart PDD amendment request. He asked if specific information will be provided such as the proposed container area, will there be a fence surrounding it, will there be a canopy or kiosk outside for purchases, will the changes affect the CDTA bus stop and how will the storage area be set up for tractor trailers and staff access? None of this is known at this time, not until Walmart submits a detailed sketch plan.

Jim Murray, 126 McChesney Ave, has concerns with Walmart's current storage units on the property during their remodel and the proposed container storage in their PDD Amendment request. Living across the street from the containers that are currently on the Walmart property has been very noisy and disruptive. He mentioned how the 18 storage containers are taking up more parking spots given the need to access them. He asked if the Town would consider restoring the berm that was previously removed to give him a barrier between his home and the Walmart parking lot.

Kathy Lonergan, Sugar Hill Apartments, asked the board specific questions related to Mohawk Ambulance Service. She was on scene for a recent violent situation in her apartment complex

and stated it took a very long time for ambulance service to arrive. Supervisor Herrington explained there is no contract with Mohawk Ambulance Service. He stated they do provide 24-hour service, however they might be coming from Albany or Schenectady. Councilman Balistreri added there is an upcoming Public Safety Committee meeting that will be discussing this particular situation amongst other concerns.

Jack Curran, 726 Tamarac Road, member of Eagle Mills Fire Department for that past 48 years, inquired about the tax exemption for first responders. He would like to use the tax reduction as a tool to recruit new members. Councilman Balistreri stated he is working with Julie Irick, Town Assessor, on calculations and agreed any tax reduction or exemption could be a useful tool. Currently there is a NY income tax credit of \$200 for volunteer first responders that would serve more volunteers since not all are property owners. The county has adopted a resolution encouraging municipalities and school districts to approve similar tax exemptions for property taxes. Each school district would have to approve their own to offer a school tax reduction as well.

Colleen Bisceglia, 68 Oneida Ave, seeking updates on the NYS/CDTC Hoosick Street traffic study results. Ms. Bisceglia spoke of the increased traffic, speeders, and littering in the neighborhood. Supervisor Herrington advised the CDTC Committee met recently and the recommendations included diverting traffic to the side streets to save a few minutes' commute time. He said the smart traffic lights have a software issue and have reported it to DOT over 2 months ago. Supervisor Herrington has worked with Sycaway Creamery to reduce truck traffic, reflectors on stop signs, cut brush near signs, working with the sheriff's department, and other high impact low cost efforts to help the neighborhood safety issues. Ms. Bisceglia requested the Town consider additional efforts including temporary speed bumps or one way streets.

BUSINESS MEETING:

MINUTES OF THE PREVIOUS MEETING:

Minutes from the September meeting were submitted and are pending approval.

REPORTS:

Town Clerk: Deputy Clerk, Rebecca Del Gaizo

Ms. Del Gaizo gave the report for the month of September. \$7,816.18 will be remitted to the Supervisor's office. Collected were recycling fees of \$3,804, Community Center fees of \$1,650.00 (11 new reservations), Dog License fees of \$525.00, Vital Statistics fees of \$754.00, Peddlers fee of \$0.00 and Dog Impoundment fees/fines of \$180.00. Also, our share of \$16,368.00 in DEC sales was \$902.00. As reflected in sales, hunting licenses are strong as usual and should continue up to deer season opening in November. She 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. She also reminded the public early voting begins October 28th and runs through November 5th. All Rensselaer County residents can vote early at the Brunswick Town Hall. 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.

Highway Superintendent: Mike Bayly

Mr. Bayly gave his report for the month of September. Work included: preparing trucks for leaf pick-ups/vacuum truck; Forest Park Cemetery clean up to prepare for the upcoming walk through event; recyclables hauling; brush cutting and ditching; cleaning culverts and vacuuming catch basins; and monthly residential brush pickup. Motion to accept the report was made by Councilman Sullivan and seconded by Councilman Cipperly. Unanimously approved.

Water & Sewer: Bill Bradley

Mr. Bradley gave his report for the month of September. Third quarter THMM's testing was completed and indicate an upward trend however the results are not in violation. Mr. Bradley has reached out to the Lab Director in Troy and they are modifying their treatment methods to improve removal of the dissolved organics, which will help limit the formation of the THMM's. Lead and copper sampling results were good. The Water Department is continuing to map the locations of curb stops as part of the required mapping provisions of the new lead and copper rule. Due to a high failure rate of permeable access roads in the State and NYSDEC, they are considering eliminating this design from the NYS Design Manual. Mr. Bradley is working with our attorney reviewing proposed easements on two properties in preparation for the relocation and installation of the new water main under the Vanderheyden spillway. Motion to accept the report was made by Supervisor Herrington and seconded by Councilman Balistreri. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

Code Enforcement: Charles Golden

Mr. Golden was unable to attend the meeting. His report for the month of September has been submitted. 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 attended and participated in meetings with staff and outside counsel at Town Hall and by conference calls or video meetings on September 22nd, 25th, 28th, 29th, October 6th, and 10th; prepared the resolutions for this evening's meeting; attended a Special Meeting of the Town Board on October 3rd where the Town Clerk handed out the Supervisor's 2024 Tentative Budget to the Town Board to begin the budget adoption process. This evening Mr. Cioffi attended and participated in a special workshop regarding the 2024 budget process and prepared the public notice for the 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 the Building Department on pending and prospective enforcement matters; worked with the Supervisor's Office on personnel matters; on September 18th, he attended a public hearing in connection with an appeal pending before the Zoning Board of Appeals in which Mr. Cioffi represented the Town's Code Enforcement Officer, prepared and submitted two legal memoranda in support of the Town's position on the appeal; 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 Sullivan. Unanimously approved.

Town Historian: Tracy Broderick

Ms. Broderick gave her report for the month of September. Ms. Broderick has been researching the Duke family, who emigrated from Ireland in 1897. According to tax records, Mr. Thomas Duke owned 125 acres on North Lake Avenue near today's Kestner Lane. He first appears in the 1900 census listed as a farmer. He lived on the farm property until he passed in 1943. In 1913 they advertised in the local newspaper that they were selling tomato plants. In 1944, the Duke family worked with the Department of Public Welfare to distribute 1,000 tomato plants in one week. Mrs. Duke would donate flowers to the local police stations for planting in the spring. The business became known as Duke and Son Florist. Thomas Duke Sr. ran the business for 60 years with the help of his son Thomas Jr. and brother George. Thomas Jr. and George continued running the business after the father's death for some time. There was a barn fire in 1956 where dismantled greenhouse items and tools were found. Ms. Broderick has also been planning and preparing for the annual walkthrough at Forest Park Cemetery on Saturday, October 21st. There are currently 70 people registered for this event. Sign up is through the Historical Society's'

website, which is mostly to get a feel for attendance. Motion to accept the report was made by Councilman Cipperly and seconded by Councilman Balistreri. Unanimously approved.

Recycling Coordinator: Thomas Engster

Mr. Engster gave his report for the month of September. Revenues from bags sold, light iron, cardboard and miscellaneous appliances/electronics totaled \$4,250.20. Expenses were \$1607.75 for landfill fees, \$557.00 for single stream recyclables and \$324.25 for tires and miscellaneous appliances. 38.23 tons of materials were recycled and landfilled for the month. Motion to accept the report was made by Councilman Balistreri and seconded by Councilman Sullivan.

Unanimously approved. A copy of the report is on file in the Town Clerk's Office.

Community Library: Sara Hopkins

Ms. Hopkins was unable to attend the meeting. Her report for the month of September has been submitted. A copy of the written report is on file in the Town Clerk's Office.

RESOLUTIONS:

Resolution No. 50 RESOLUTION DECLARING ITEMS TO BE SURPLUS PROPERTY. 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 Absent; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 51 RESOLUTION APPROVING 2024 TENTATIVE BUDGET AS 2024 PRELIMINARY BUDGET OF THE TOWN OF BRUNSWICK. 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 Absent; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted. A Public Hearing has been scheduled for Thursday, November 9, 2023 at 6:30 pm.

CORRESPONDENCE:

Joanne and Frank Casey sent a card thanking the Highway Department for cutting brush on Joy Lane.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

WARRANTS:

Warrants No. 230959 through 231069, No.92923001 through 92923009 and No.101323001 through 101323006 were presented. Motion to approve the warrants was made by Councilman Sullivan and seconded by Supervisor Herrington. Unanimously approved. Individual fund expenses were as follows:

General	\$	126,484.09
Highway	\$	45,629.81
Water	\$	377,401.44
Sewer	\$	345.65
Special Sewer District #6	\$	1,142.86

FURTHER VISITORS WHO WISH TO SPEAK:

Adriano Bongiorno, 598 Tamarac Road, inquired if PILOT payments get shared with the school districts. He also suggested looking into local college credits or discounts on courses for volunteer first responders which could benefit people who do not own property.

Jack Curran, responded to Mr. Bongiorno's comment related to the first responder's benefits. He thought it was a great idea and said the info is on the FASNY.com site.

Louis Hutter, 228 White Church Road, asked for updates relating to the mismatched speed limit signs in opposite directions in Eagle Mills. Councilman Sullivan said he went out purposely looking for the sign issues and did not notice an issue. Mr. Tkacik said the state took down the 55 MPH sign during roadwork and have not put the sign back up. He is satisfied with the current 40 MPH zone. Mr. Hutter also questioned the Town's zoning law related to political signs. Mr. Cioffi stated there are various arguments that can be made about political signs being regulated and arguments for free speech. Mr. Cioffi agreed the laws regarding signs could be updated and will be looked at in the near future.

ADJOURNMENT:

Supervisor Herrington made the motion to adjourn the meeting in honor of Susan Christian, Deputy Supervisor Christian's wife, who recently passed away. Motion was seconded by Councilman Balistreri. Unanimously approved. The meeting adjourned at 8:49 p.m.

Respectfully submitted,

Rebecca Del Gaizo
Deputy Town Clerk