

**TOWN OF BRUNSWICK**  
**REGULAR TOWN BOARD MEETING**  
**August 8, 2024, 7:00 P.M.**  
**TOWN HALL**

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

**Also Present:** Attorney, Thomas Cioffi, and Town Clerk, Rebecca Del Gaizo.

Supervisor Herrington called the meeting to order at 7:04 p.m.

All joined in with the salute to the flag.

**BUSINESS MEETING:**

**MINUTES OF THE PREVIOUS MEETING:**

Councilman Balistreri made a motion to approve the minutes of the Town Board Meeting on July 11<sup>th</sup>, 2024. Motion was seconded by Councilman Christian. Unanimously approved.

**REPORTS:**

*Town Clerk:* Rebecca Del Gaizo

Ms. Del Gaizo gave the report for the month of July. \$7,155.93 will be remitted to the Supervisor's office. Rounding numbers, recycling fees accounted for \$4,103.20, Rental fees for \$1,762.00, Dog License fees for \$450.00, and \$729.80 in miscellaneous fees making up the balance. The Community Center had 10 new reservations and the Pavilion had 1 new reservation. Our share of \$1,204.57 in DEC sales was \$70.73. 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. Ms. Del Gaizo noted the change in DEC licenses being switched to regular paper. The costs of printing licenses fall onto the vendor, yet the commission rate is still 0.95%. The beach will be closed on August 22<sup>nd</sup>, 2024 due to water treatment. She also promoted the upcoming Household Hazardous Waste Day event on September 14<sup>th</sup>, 2024 in which registration is required.

*Highway Superintendent:* Michael Bayly

Mr. Bayly gave his report for the month of July. Work included: milling; paving; replaced culverts; mowing; ditching work; recycle pulls; summer cleanup; shop work; projects at the beach; brush pick up; repairing/building picnic tables; roadside mowing; putting up road signs; and worked with Rensselaer County using shared services to pave town roads. 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 monthly report for July 2024. Meter readings were completed for the August billing period and will be mailed out on August 23, 2024. The department is documenting water service curb boxes throughout the town, working towards completing the first phase of the Lead and Copper survey. This is an ongoing project that will identify all probable lead water service lines are identified and removed. Mr. Bradley continues to work with the building department on subdivision reviews and solar field reviews. He also worked with the attorneys to address water contract issues and easements. He reviewed new regulations with respect to wetland designation and required documentation for wetland delineation for future

projects. There is a new State Pollutant Discharge Elimination System (SPDES) Construction General Permit for Stormwater, which is expected to be approved for implementation in January 2025. This will require additional person hours to remain compliant in the future. Motion to accept the report was made by Councilman Cipperly 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 \$14,577.10 was collected for Building Permits and Zoning and Planning Board Fees. 28 building permits were issued or renewed, 73 building/property inspections were performed, and active permits totaled 330. The department had 2 code call outs with inspections, 12 code complaints, 13 code complaint inspections, 16 follow up complaint inspections and 1 fire inspections, and 3 additional vacant/abandoned property was identified. There are 7 Planning Board projects open or approved and 3 with the Zoning Board. 10 FOIL requests were received as well as other zoning inquiries. A copy of the written report is on file in the Town Clerk's Office. 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. Mr. Golden said he has been working as the Water Manager in Town of Poestenkill and will be leaving his position here next week.

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 for various matters at the town office, or by conference call on July 16<sup>th</sup>, 17<sup>th</sup>, 23<sup>rd</sup>, 24<sup>th</sup>, 25<sup>th</sup>, 29<sup>th</sup>, 31<sup>st</sup>, August 2<sup>nd</sup>, 5<sup>th</sup>, 7<sup>th</sup>, and August 8<sup>th</sup>; Prepared resolutions pertaining to tonight's regular meeting; Worked with the Assessor to discuss local laws required to expand the eligibility and availability for the senior citizen's tax exemption and the disabled home owner's tax exemptions to resident's in the town; and prepared necessary draft he introductory local laws to initiate the process; Working with outside counsel on several matters of pending litigation; Working with the building department on pending and perspective code enforcement matters and code interpretation issues; Working with the Supervisor's office on personnel matters; Working with various departments on some outstanding Freedom of Information Law requests; Worked with Mr. Bradley regarding issues pertaining to a revised water supply agreement with town of Poestenkill; Worked with Mr. Bradley and our outside engineer consultants on issues pertaining to obtaining easements required for the Vanderheyden Dam project; Performed legal research, provided legal opinions, reviewed or prepared legal documents as requested by town officials and employees. Motion to accept the report was made by Supervisor Herrington and seconded by Councilman Balistreri. Unanimously approved.

Town Historian: Tracy Broderick

Ms. Broderick was unable to attend the meeting. The monthly report was not available at the time of the meeting. Should it become available, it will be on file in the Town Clerk's office.

Recycling Coordinator: Thomas Engster

Mr. Engster gave his report for the month of July. Revenues totaled \$4,303.20 and expenses \$2,797.95. 32.81 tons of materials were recycled and landfilled. Motion to accept the report was made by Councilman Christian and seconded by Councilman Cipperly. Unanimously approved. A copy of the report is on file in the Town Clerk's Office. Mr. Engster mentioned the new single stream recycling compactor located at the Recycling Center. He said the compactor does allow

the materials to be slightly compacted but does not crush it. He said the new machine is being well received by residents.

Community Library: Sara Hopkins

Ms. Hopkins gave her report for the month of July. Last month there were 4,077 physical checkouts, 2,754 walk in visitors, 2,442 digital checkouts, 170 Wi-Fi users (19/day average), assisted with 86 technical usages and 240 reference questions were addressed. 924 people participated in various programs, and 9 passports were processed. Ms. Hopkins noted Newsbank was out for the month of July due to a mass IT outage. There is no July usage report available, but users were still able to use the service. 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. Ms. Hopkins said 466 readers participated in the Summer Reading Program. The reptile program was a huge hit, reaching building capacity. She reviewed the upcoming scheduled programs as well.

**RESOLUTIONS**

**RESOLUTION NO. 54 OF 2024**

**RESOLUTION AMENDING ADOPTED 2024 ANNUAL BUDGET (HIGHWAY FUND)**

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. 55 OF 2024**

**RESOLUTION CONDITIONALLY AWARDED CONTRACT FOR REPLACEMENT OF WATER MAINS AT THE VANDERHEYDEN DAM**

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. 56 OF 2024**

**RESOLUTION EXTENDING CONDITIONAL APPROVAL OF BRUNSWICK ACRES PLANNED DEVELOPMENT DISTRICT**

The foregoing Resolution, offered by Supervisor Herrington 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.

**RESOLUTION NO. 57 OF 2024**

**RESOLUTION RETAINING APPRAISAL EXPERT FOR DEFENSE OF REAL PROPERTY TAX LAW ARTICLE 7 LITIGATION**

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

**INTRODUCTORY LOCAL LAW 3 OF 2024**

Town of Brunswick

Regular Town Board Meeting August 8<sup>th</sup>, 2024

**A LOCAL LAW AMENDING SECTION 139-3 OF THE TOWN CODE OF THE TOWN OF BRUNSWICK SO AS TO EXTEND ELIGIBILITY FOR THE SENIOR CITIZENS TAX EXEMPTION IN THE TOWN OF BRUNSWICK**

Councilman Sullivan introduced Introductory Local Law 3 of 2024. A Public Hearing is scheduled for September 12, 2024, at 6:30 pm.

**INTRODUCTORY LOCAL LAW 4 OF 2024**

**A LOCAL LAW AMENDING SECTION 139-12 OF THE TOWN CODE OF THE TOWN OF BRUNSWICK SO AS TO EXTEND ELIGIBILITY FOR THE DISABLED HOMEOWNER TAX EXEMPTION IN THE TOWN OF BRUNSWICK**

Councilman Sullivan introduced Introductory Local Law 4 of 2024. A Public Hearing is scheduled for September 12, 2024, at 6:45 pm.

**CORRESPONDENCE:**

Email received from Patti Sbrega regarding a newly proposed solar farm located at 511 McChesney Avenue Extension.

Barbara Silvestro, Otsego Avenue, sent an email regarding the speed humps. She noticed signs being installed in the Sycaway neighborhood and requested 2 speed humps be installed on Otsego Avenue.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

**WARRANTS:**

Warrants No. 240770 through 240882, No. 71924001 through 71924009, and No. 80224001 through 8022406 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	\$	194,162.78
Highway	\$	175,966.16
Water	\$	29,089.71
Sewer	\$	665.83
Special Sewer District #6	\$	655.33

**VISITORS WHO WISH TO SPEAK:**

Kim Jensen, Roberts Drive, gave a quick overview from the most recent Hoosick Road traffic committee meeting. The meeting consisted of a smaller group focused on research, including funding opportunities, based on the CRTC study. She said the meeting was productive coming up with good ideas. Everyone has a research assignment. She asked if there has been any decision on making regular communications via the meeting agendas or town newsletter. Supervisor Herrington said he didn't believe there was a need for a monthly report or standing agenda item. He would let the public know when new information or communications occur. Ms. Jensen also asked if they are considering updating the comprehensive report. Supervisor Herrington said since it has been over 10 years, they will look into it.

Jim Tkacik, Brunswick Road, gave a brief review of the results of commercial solar moratorium. He said that based on reading the solar moratorium resolution, there were some points that needed attention including protecting building lots from encroaching solar fields, boosting revenue from PILOTs, and developing a cooperative effort with Rensselaer County to harmonize the PILOT agreements. Mr. Tkacik stated it has been about 20 months since inception of the solar moratorium and asked what success or progress has been done to meet those particular goals. Councilman Christian said the county changed the value of the project and knocked down the price, that it went from \$8,000 to \$6,000. Supervisor Herrington said solar farms want to be near substations. He said the Planning Board will look at the conditions and review the visual impact. Mr. Cioffi said the town did identify areas of possible improvements to the Zoning Code. Mr. Tkacik said during the last Planning Board meeting, the concerns were brought up by Mr. Oster. They want to protect prime real estate properties but have nothing to fall back on to justify decisions. He reviewed the contents of the solar moratorium report submitted by engineer Wayne Bonesteel. He said the final report was supposedly seeking area expertise charging \$195/hour consultant to show the town their own documents. Mr. Cioffi agreed the rate was set to \$195/hour up to a maximum fee of \$5,000 and that the engineer consultant would notify the town if they went over the maximum allowable amount to be billed. Mr. Tkacik said the engineer went over the \$5,000 maximum by 10%. He said he does not feel the town received a good value for the money spent and that the Planning Board needs more tools to deal with this.

Mary Ellen Adams, Cooper Avenue, wanted to echo Kim Jensen's appreciation for using the community center for the route 7 Hoosick Road traffic group. She said Ms. Jensen had sent emails to the town with a list of questions from the committee. She asked if DOT has been contacted regarding the timing of the lights. Mr. Cioffi said in anticipation of tonight's meeting he spoke with Mr. Bonesteel asking to reach out to the DOT. The Town had sent resolutions to the DOT regarding the proposed changes, including synchronization of the traffic lights. Mr. Bonesteel will be contacting the DOT and CDTC to request all of the eligible projects from the report be considered for state or federal funding, and be included in the transportation improvement plan. He was informed this is done when the CDTC solicit for it, which is expected for some time in September. Ms. Adams said this is the type of information the residents want to know. She also asked if it normally takes 3 years to implement requested changes, such as the speed humps in the Sycaway neighborhood. Supervisor Herrington said it hasn't taken 3 years and that yes, the DOT did say speed humps are traffic calming devices that would help, but it was initiated by a community petition. Councilman Christian said the town started out with stop signs, reflectors, police radars, and the speed humps are the last part. She had questions about solar decommissioning. She asked if the solar panels get removed when they no longer work? Mr. Cioffi said the decommissioning is supposed to be included in the cost of the project. The company can post escrow or bonds to take care of decommissioning plans that the town has reviewed by the engineer. Ms. Adams said the traffic committee will continue giving updates related to Hoosick Road traffic. Supervisor Herrington said the first thing DOT mentions when discussing traffic mitigation is to reroute traffic to the side streets. DOT suggested diverting traffic off the main roads and onto small local streets. Ms. Adams suggested to continue looking at things we can do at the town level and to give as much pushback as possible.

Another piece of correspondence received was an email from Barbara Silvestro, Otsego Avenue requesting speed humps be installed on Otsego Avenue. Supervisor Herrington said the idea was to put a few speed humps in and evaluate the effectiveness. He said the speed humps have to be installed correctly. The town hired Delsignore to install them since they have a lot of experience installing speed humps.

Supervisor Herrington said recently he was over to check on the paving work on Coolidge Avenue. He was surprised to see a house for sale and then to find out it sold in 2 days. Even being located in the heart of the Route 7 traffic situation did not deter the house from being sold so quickly.

Louis Hutter, White Church Road, said he agrees with what the town is doing regarding Route 7. He then mentioned a sign at Park East that is a flashing highway sign. He brought it to the attention of the town but nothing has been done to enforce the sign rules. Supervisor Herrington said he went by there today and the sign is down.

**ADJOURNMENT:**

Councilman Sullivan made the motion to adjourn. Motion was seconded by Councilman Balistreri. Unanimously approved. The meeting adjourned at 8:14 p.m.

Respectfully submitted,

Rebecca Del Gaizo  
Town Clerk