

**TOWN OF BRUNSWICK**  
**REGULAR TOWN BOARD MEETING**  
**October 10, 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 7:05 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 Public Hearing for Local Law 3 of 2024 on September 12th, 2024, Public Hearing for Local Law 4 of 2024 on September 12th, 2024, Town Board Meeting on September 12th, 2024, and Special Meeting on October 1st, 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 September. \$9,195.07 will be remitted to the Supervisor's office. Rounding numbers, recycling fees accounted for \$3,580, Rental fees for \$2,375.00, Dog License fees for \$434.00, and \$2,805 in miscellaneous fees making up the balance. The Community Center had 14 new reservations. Our share of \$11,446.51 in DEC sales was \$666.49. 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. Ms. Del Gaizo and Deputy Clerk Cheryl Roberts attended the Rensselaer County Clerks Association meeting on Tuesday. Topics include Ag & Markets dog laws, shelters, dog control officers, and the new paper DEC hunting licenses. She also mentioned the early voting schedule that is to begin October 26th and runs through November 3rd. She is also looking into joining the NY Paint Cares program so Brunswick can accept used paint.

*Highway Superintendent:* Michael Bayly

Mr. Bayly gave his report for the month of September. Work included: mowing town properties; ditching work; patching work; recycling pulls; picking up leaf bags; shop work, such as preparing winter equipment; closing the town beach; brush pick up; renovating the recycling shed; roadside mowing; brush chipping; clearing brush at the ball fields and preparing the parking lots; brush cleanup and mowing at Forest Park Cemetery; participated in shared services with Grafton. 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 September 2024. He reported the original water bill collection was for \$802,220.00 and \$557,133.00 has been collected. The balance due, with penalties and adjustments, is \$260,557.25. Of that amount, \$89,737.91 is from Kindle Associates LP, and was caused by several water leaks at a manufactured home park. His department has

started to drain the Vanderheyden Reservoir as a safety precaution for the upcoming digging work needed for the water main relocation project. They are also doing a controlled release of 200 million gallons. Mr. Bradley commented everything was going well. In addition, his team has been doing routine work, such as locating curb boxes, which is also part of Lead and Copper rule. The new MS4 (Municipal Separate Storm Sewer Systems) permit requires a map on the town website for the public to access to see wetlands, streams, regulated stormwater outfalls, 2023 tax parcels, and additional layers of information. This can be accessed from the stormwater page on the town's website. Supervisor Herrington asked Mr. Bradley about a recent event when the Water Department visited a home on Wayne Street while checking water meters. They spoke to the resident and said they would need to return since there was more work required to access the main shut off valve, however a timeframe wasn't clearly established. Mr. Bradley and Supervisor Herrington agreed there was a breakdown in communication and Mr. Bradley will follow up on this project. They also discussed using the electronic work order program and management styles. 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.

Code Enforcement:

No one was present to present the monthly report. The report showed \$12,270.45 was collected for Building Permits and Zoning and Planning Board Fees. 35 building permits were issued or renewed, 50 building/property inspections were performed, and active permits totaled 344. The department had 1 code call out with inspections, 3 code complaints, 4 code complaint inspections, 11 follow up complaint inspections and 0 fire inspections, and 1 additional vacant/abandoned property was identified. There are 9 Planning Board projects open or approved and 8 with the Zoning Board. 16 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.

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 for various matters at the town office, or by conference call or remote meeting, on September 18th, 19th, 23rd, 24th, 25th, October 1st, 3rd, 7th, 8th, and 9th; Attended and participated in a Special Meeting on October 1st regarding the initiation of the 2025 annual budget adoption process; Prepared the required Special Meeting notice; Prepared resolutions and other documents pertaining to tonight's meeting; Working with the Supervisor's office regarding the preparation and approval of successor fire protection agreements with Brunswick Fire Company Number 1 and Mountain View Volunteer Fire Company pertaining to their current contracts that expire at the end of this year; Working with outside counsel on several matters of pending litigation against the town; Working with the Building Department regarding pending and perspective code enforcement matters and code interpretation issues; Working with the Supervisor's office on personnel matters; Working with various departments on responding to outstanding Freedom of Information Law requests; Worked with Mr. Bradley on issues pertaining to the state required updates to the town's enforcement plan; Working with the building department defending an appeal to the Zoning Board of Appeals from the Building Department's determination; Attended a complimentary continuing legal education class, which counts toward his continuing CLE requirements; Working with the Building Department regarding compliance with the subpoena duces tecum through the production of Building Department records, which is going to be issued by the Schenectady County Family Court and Schenectady County's attorney's office; 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 Christian. 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 September. Revenues totaled \$4,318.60 and expenses \$3,717.00. 32.63 tons of materials were recycled and landfilled. A copy of the report is on file in the Town Clerk's Office.

Community Library: Sara Hopkins

Ms. Hopkins was not present for the October meeting, instead she is accepting the Community Partner Award from the Legal Aid Society of Northeastern New York. She did send in the report for September. Last month there were 3,642 physical checkouts, 2,207 walk in visitors, 2,481 digital checkouts, 149 Wi-Fi users (19/day average), assisted with 70 technical usages and 196 reference questions were addressed. 620 people participated in various programs, and 11 passports were processed. The report noted Newsbank stats are still not available due to ongoing tech issues.

**RESOLUTIONS**

**RESOLUTION NO. 64 OF 2024**

**RESOLUTION AUTHORIZING PURCHASE OF TRUCK FOR TOWN OF BRUNSWICK HIGHWAY DEPARTMENT**

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. 65 OF 2024**

**RESOLUTION APPROVING, AND AUTHORIZING SUPERVISOR TO EXECUTE, PLANNED SERVICE AGREEMENT WITH JOHNSON CONTROLS, INC., PERTAINING TO HVAC EQUIPMENT AT THE TOWN OFFICE BUILDING**

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. 66 OF 2024**

**RESOLUTION APPROVING 2025 TENTATIVE BUDGET AS 2025 PRELIMINARY BUDGET OF THE TOWN OF BRUNSWICK**

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.

Immediately following roll call, it was determined resolution 66-24 was not accurate in that it did not include the modifications and amendments to the 2025 Tentative Budget. Councilman

Balistreri made a motion to rescind resolution 66-24 due to error, seconded by Councilman Christian. A voice vote was conducted and the resolution 66-24 was unanimously rescinded.

**RESOLUTION NO. 66A OF 2024**

**RESOLUTION APPROVING 2025 TENTATIVE BUDGET AS 2025 PRELIMINARY BUDGET OF THE TOWN OF BRUNSWICK, WHICH HAS BEEN MODIFIED AND AMENDED TO THE EXTENT SET FORTH IN THE ANNEXED SCHEDULE, WHICH IS INCORPORATED INTO AND MADE PART OF THIS RESOLUTION**

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 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. 67 OF 2024**

**RESOLUTION APPOINTING MEMBER TO BOARD OF ASSESSMENT REVIEW OF THE TOWN OF BRUNSWICK**

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 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. 68 OF 2024**

**RESOLUTION APPROVING AND AUTHORIZING PARTICIPATION BY THE TOWN OF BRUNSWICK IN NATIONAL GRID'S OUTDOOR LIGHTING LED CONVERSION PROGRAM THE MEMORANDUM OF AGREEMENT AND FURTHER AUTHORIZING THE SUPERVISOR TO ISSUE A LETTER OF COMMITMENT TO NATIONAL GRID**

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.

**CORRESPONDENCE:**

Brad Sprecher, President of Girls Softball, sent a message thanking Supervisor Herrington and his team for preparing the fields and parking lots for a huge sports weekend.

Patti Sbrega sent an email regarding the new speed humps installed in the Sycaway neighborhood. She wanted to compliment the work done by the Highway Department with installing and marking the speed humps in hopes of slowing the traffic in the neighborhood.

**OLD BUSINESS:**

Wayne Bonesteel, engineer, provided an update to the implementation recommendations based on the Hoosick Road Corridor Study. Mr. Bonesteel had contacted NYS Department of Transportation (NYSDOT) and spoke with the Traffic Signal Operations Engineer for Region 1 for potential traffic signal coordination from North Lake Avenue to Walmart. Mr. Bonesteel requested the signal coordination be added to their plans. He was advised by the engineer the town doesn't need to take any actions and that NYSDOT is currently reviewing agreements and is working to get a consultant onboard. Currently, there is no timeframe for the implementation of the automatic traffic signal coordination, but they are estimating sometime next year.

Supervisor Herrington and Mr. Bonesteel agreed a regular monthly update about the traffic on Hoosick Road is not necessary. They agree a quarterly update is more appropriate, and will provide information if and when important updates come up. Mr. Bonesteel said another recommendation was implementing traffic calming devices in the Sycaway neighborhood. He said so far the feedback he has received has been that the speed humps and signage have been effective. He commented about the height of the speed humps may seem low, but it was done purposefully for maintenance and plowing. He said they are meant to slow vehicles down to 20-25 miles per hour, not 10 miles per hour. Mr. Bonesteel also met with the Capital District Transportation Authority (CDTA) about eliminating specific mid-block bus stops on Hoosick Road. CDTA said eliminating these stops would have very little effect on traffic because these stops have low ridership. CDTA is working on providing more specific ridership numbers for stops on Hoosick Road so the town can decide if they still want to pursue eliminating the stops. Another topic discussed was installing a bus pull-out at the intersection of Lord Avenue and Hoosick Road, however CDTA is not interested in this idea. CDTA explained that once the bus leaves the stream of traffic, the bus is likely to get stuck, unable to return to the flow of traffic without a queue jump. CDTA has strict schedules to abide by, therefore this is least desirable. Mr. Bonesteel suggested keeping the idea on the table in case of future developments where this could be better suited. Mr. Cioffi asked if CDTA felt strongly about eliminating specific mid-block stops even after they made the recommendation in the Hoosick Road Corridor Study report. Mr. Bonesteel agreed that if CDTA feels strongly against removing the stops, they should have made it clear about the lack of improvement it would make when they were making these recommendations. The other recommendations would require significant funding, such as the roundabout at Grange Road or widening Route 7. Brunswick would need funding and the Capital Region Transportation Council (CRTC) controls the federal aid projects in this region. Mr. Bonesteel said solicitations for new project funding should come out in the next month or so, and they will reach out to Brunswick, as they do to all municipalities in the region. When the solicitation comes out, Mr. Bonesteel will look through all the recommendations and help determine which project to apply for federal aid. The town would need to sponsor the project, even though it's a state road. Mr. Bonesteel will keep an eye out for the project solicitations.

### **NEW BUSINESS:**

Councilman Balistreri reported he attended a recent Public Safety Committee meeting. The committee is looking at options for ambulance services in town. They are reviewing a Municipal Certificate of Need (CON), which he commented shouldn't be too difficult to get. They are also looking at a map plan report, something that is required anyway.

Supervisor Herrington mentioned an incident he was told by a NYS Trooper recently. The officer said they received a 911 call for a twisted ankle and the patient was taken by ambulance to Albany Medical Center. When the ambulance arrived, the patient got out of the ambulance, thanked the driver, and walked away. The next day the same address had another call, and even another call today. He said it is very frustrating this is even happening.

Attorney Cioffi mentioned an unsolicited shelter agreement Ms. Del Gaizo received prior to the meeting. He commented how these agreements are difficult because there's minimal bargaining power since there is no other option for a dog shelter. This new shelter agreement would take effect upon adoption through December 2025.

**WARRANTS:**

Warrants No. 241010 through 241128, No. 92724001 through 92724010, and No. 101124001 through 101124006 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	\$	104,259.00
Highway	\$	55,580.95
Water	\$	505,245.96
Sewer	\$	122.93
Special Sewer District #6	\$	8.93

**VISITORS WHO WISH TO SPEAK:**

Jim Tkacik, Brunswick Road, said he wanted to renew discussion from last month regarding the town’s comprehensive plan, which is meant to be a roadmap for the development of the town. The last process began in 2011 and was finalized in 2013. Mr. Tkacik said it’s not just the age of the current comprehensive plan that is concerning, but that the town is on new terrain without a roadmap, such as construction of solar fields. He said there are several projects in front of the Planning Board currently and it would be nice to have a comprehensive plan to guide the Planning Board. Councilman Sullivan said he hasn’t heard anything from the Planning Board members about not having enough guidance. Mr. Tkacik said the Planning Board spends a lot of time discussing if land should be used for housing or solar. He said in the comprehensive plan, it clearly states Route 2 is meant to be a scenic corridor. He said there were no solar fields in 2013 when the comprehensive plan was completed. Also, there were no cannabis shops in 2013. He said not only is the comprehensive plan supposed to be a guiding roadmap for the town, but it is also frequently cited by parties doing business in the town. For example, there is a letter from NYS DOT concerning the Chick-Fil-A project that says there are aspects of the traffic issue that may be inconsistent with the 2013 Brunswick Comprehensive Plan, demonstrating that NYS DOT is citing the comprehensive plan as a factor in their response. He noted how developers may also cite the comprehensive plan as justification for their project(s). Mr. Tkacik said it is time to get the process going to update the comprehensive plan. Councilman Sullivan commented it is a huge financial undertaking. Mr. Tkacik inquired about a recommendation from the CDTC for a better pedestrian path from Hoosick Road and McChesney Avenue to McChesney Avenue Extension. Mr. Bonesteel responded that last year there was a solicitation through the Transportation Assistance Program and after reviewing the requirements to for getting the sidewalks, the minimum project cost had to be \$500,000 and the town would be required to pay 20% of that cost, which equals \$100,000. The town was only looking at adding sidewalks on McChesney Avenue to where the shoulder widens, to access to the senior housing and the apartments, but that was less than 2,000 feet. The cost to do this did not meet the \$500,000 minimum, therefore the town decided not to pursue it. Mr. Bonesteel said there should be some planning for sidewalks to decide where sidewalks could go, and other aspects, in the case another revenue source opportunity presents itself. Mr. Tkacik suggested there may be smaller grants available. He said the Planning Board made provisions allowing for sidewalks to go down to Highland Creek. He said the widened shoulder goes all of the way (from Highland Creek) to the back of Walmart, from which it becomes dangerous, so the possibility is there.

Debbie Nelson, Grove Street, her family has been very appreciative of Mr. Bayly and his crew for their efforts in the neighborhood. She commented how the workers have always been

courteous and careful about where they place their equipment. She appreciates all the work they've been doing in the area and wanted to say good job!

Jack Nelson, Grove Street, said he is representing the Center Brunswick Volunteer Fire Company tonight. He said he has a letter from Center Brunswick Fire Company dated October 25th, 1996, that states there is a problem with ambulance service. He said there is still a problem and it's not getting any better regarding ambulance service in town. He said they want money to put an ambulance service in town but they're going to collect money anyway. He said waiting in traffic is a heck of a lot easier than being a volunteer firefighter that is waiting 45 minutes for an ambulance, while performing CPR. He said this should be addressed at the state and county levels and now at the town level. Supervisor Herrington said this is a regional issue and not every town can afford an ambulance service.

Supervisor Herrington asked Mr. Bradley to return to the podium. He asked Mr. Bradley if he is utilizing the working foreman on his crew, to help alleviate the pressure on himself from all the projects and new regulations. He said the town is paying for a working foreman that is being used as a laborer. Mr. Bradley said he is focusing on everyone working together as a cohesive team and wants to prepare the team to carry on in his absence. Supervisor Herrington and Mr. Bradley debated the need for a general foreman title in the Water/Sewer department versus an additional laborer.

**ADJOURNMENT:**

Councilman Balistreri made a motion to adjourn in honor of longtime member of the Speigletown Fire Department, Jay Paul Gagnon, and Brunswick Company 1 Fire Department's Assistant Chief, David Plew. These men dedicated many years to the fire departments keeping their community safe. Unfortunately, both men were laid to rest this month. Motion was seconded by Councilman Sullivan. Unanimously approved. The meeting adjourned at 8:22 p.m.

Respectfully submitted,

Rebecca Del Gaizo  
Town Clerk