

**TOWN OF BRUNSWICK
REGULAR TOWN BOARD MEETING
December 12, 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 7:01 p.m.

All joined in with the salute to the flag.

BUSINESS MEETING:

Chuck Golden, former Code Enforcement Officer, provided an update for the National Grid Outdoor Lighting LED Conversion Program. He said with Resolution 68-24 passing in October, the updated NBV (asset value) has been submitted to the town for payment. Once the invoice is paid, this project will be added to National Grid's queue for completion. The total estimated energy efficiency savings is over \$28,000.00.

MINUTES OF THE PREVIOUS MEETING:

Councilman Sullivan made a motion to approve the minutes of the Public Hearing: Brunswick Co. No. 1 on November 14, 2024, Public Hearing: Mountain View Fire Company on November 14, 2024, and Town Board Meeting on November 14, 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 November. \$5,603.62 will be remitted to the Supervisor's office. Rounding numbers, recycling fees accounted for \$2,878.60, Rental fees for \$1,400.00, Dog License fees for \$242.00, and \$1,083.02 in miscellaneous fees making up the balance. The Community Center had 8 new reservations. Our share of \$4,086.69 in DEC sales was \$238.31. Motion to accept the report was made by Councilman Balistreri and seconded by Councilman Sullivan. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

Highway Superintendent: Michael Bayly

Mr. Bayly gave his report for the month of November. Work included: patching; recycling pulls; repaired or replaced road signs; decommissioned refrigerators; replaced decking on a trailer; picking leaves up; installing plows; completed brush pickups; snow plowing; cleaned trucks; crews were out during the rain events checking catch basins for possible flood issues. Mr. Bayly commented how Kevin Anders runs the crew very well, moving from project to project, fixing lawn edges damaged by the plows and keeping the team on track. 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 November 2024. Mr. Bradley reported that the meter reading cycle has begun again. With the new radio read meters installed, they have already read 1300 meters, which cuts down on manpower needed. If they scan a meter with an unusual reading, they can use this information to help investigate the problem sooner. Bids for

Vanderheyden Dam have been reviewed by Laberge group. The low bidder was Rifenburgh Contracting. Mr. Bradley has added updates to the town website to explain the impact of the new NYS DEC wetland rules. The NYS DEC estimates the new rules will bring more than one million acres under their jurisdiction. 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:

Michael McDonald presented the monthly report. The report showed \$2,723.30 was collected for Building Permits and Zoning and Planning Board Fees. 16 building permits were issued or renewed, 25 building/property inspections were performed, and active permits totaled 347. The department had 3 code call outs with inspections, 2 code complaints, 5 code complaint inspections, 6 follow up complaint inspections and 0 fire inspections, and 3 additional vacant/abandoned property was identified. There are 5 Planning Board projects open or approved and 5 with the Zoning Board. 5 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 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 November. 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 November 15th, 18th, 21st, 22nd, December 5th, 6th, and 11th; Prepared the resolutions and other documents for tonight's meeting; Continued to work with outside council on several matters of litigation against the town; Worked with Building Department regarding pending and perspective code enforcement matters and code interpretation issues; Worked with the Supervisor's office on personnel matters; Worked with various departments responding to Freedom of Information Law requests; Worked with the Supervisor's Office on purchasing issues; Continued to work with the Building Department defending an appeal to the Zoning Board of Appeals from the Building Department determination; Attended and represented the Building Department at the Zoning Board of Appeals meeting on November 18th, 2024; Prepared and submitted a written memorandum and defense of the appeal to the Zoning Board of Appeals; Prepared and submitted a post hearing memorandum and further defense of the appeal; Worked with Laberge group engineer regarding the Vanderheyden Dam Improvement Project, particularly acceptance of the bid and the award of the contract for the performance of the actual dam improvements and rehabilitation work; Prepared resolutions for this meeting's agenda; Performed legal research; Provided legal opinions; Reviewed or prepared legal documents as requested by various 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 continued to report on the history of the Troy Riding Club, located on Troy Riding Club Road, right off Brunswick Road/Route 2. The Fowler family settled in Brunswick in approximately 1811. At the time, Brunswick Road was called, "Brunswick Turnpike", or "Millville Road". Abe Fowler owned a 46 acre farm, known as "Corinthian Gardens". Abe Fowler put ads in the local paper marketing bouquets composed of rare and elegant combinations of flowers and fragrance. In 1847, he decided to install a circular driveway on the farm to encourage people to stop and make purchases of fruits and bouquets. By 1860, he made the circular driveway into a riding course for horses. He invited all well-behaved people. As years went on, it became known as the "horse fair". In 1871, a newspaper article states Mr. Fowler earned another installment of local fame by his adventures on Congress Street. One day he went into a local store to make a purchase, and instead had an altercation with the store clerks, waving

his gun around as he continued to walk out of the store. Later the same day, he shot at a man bothering him, causing him to spend the night in jail. On another occasion, he was annoyed with some boys stealing nuts from his trees along the road and fired his gun in their direction, hoping to scare them. Unfortunately he ended up shooting one of the young boys in the head, killing him. He was arrested but let go because it was decided it was accidental and there was no criminal intent. He sold his farm in 1874 and moved to Vermont. Abe Fowler passed away in 1897 at the age of 86. Councilman Christian made a motion to approve the report, seconded by Councilman Sullivan. Unanimously approved.

Recycling Coordinator: Thomas Engster

Mr. Engster gave his report for the month of November. Revenues totaled \$3,542.23 and expenses \$4,243.39. 38.56 tons of materials were recycled and landfilled. A copy of the report is on file in the Town Clerk's Office. Motion to accept the monthly report was made by Councilman Christian and seconded by Councilman Sullivan. Unanimously approved.

Community Library: Sara Hopkins

Ms. Hopkins gave the report for the month of November. Last month there were 2,900 physical checkouts, 2,036 walk in visitors, 2,293 digital checkouts, 161 Wi-Fi users (19/day average), assisted with 92 technical usages and 185 reference questions were addressed. 487 people participated in various programs, and 6 passports were processed. The report noted Newsbank stats are still not available due to ongoing tech issues but users can still use the service. Ms. Hopkins mentioned a few upcoming programs, including an adult clothing swap and Silent Book Club. Councilman Sullivan made a motion to accept the report, seconded by Councilman Christian. Unanimously approved.

RESOLUTIONS

RESOLUTION NO. 80 OF 2024

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 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.

RESOLUTION NO. 81 OF 2024

RESOLUTION APPROVING, AND AUTHORIZING SUPERVISOR TO EXECUTE, PLANNED SERVICE AGREEMENT WITH JOHNSON CONTROLS, INC., PERTAINING TO DIGITALLY ENABLED SERVICES (METASYS) ON HVAC EQUIPMENT AT THE TOWN OFFICE BUILDINGS

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

RESOLUTION NO. 82 OF 2024

RESOLUTION CONDITIONALLY ACCEPTING BID AND AWARDING CONSTRUCTION CONTRACT FOR THE VANDERHEYDEN RESERVOIR DAM IMPROVEMENTS PROJECT

The foregoing Resolution, offered by Councilman Balistreri 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.

Matt Bond, Engineer for Paramount Building Group, proposed an 18 lot subdivision, located at the corner of Spring Avenue and Creek Road, consisting of about 32 acres overall. The results from a conservation analysis based on the land involved, would allow for 22 lots, however, only 18 lots are being proposed. There is a new proposed town road from Creek Road that will terminate with the cul-de-sac. Each of the lots are proposed to be supplied with municipal water service and septic will be provided.

The Planning Board made a recommendation to the Town Board allowing for the additional lots. The Planning Board believes the additional lots would make for a nicer neighborhood environment and provide safer access.

RESOLUTION NO. 83 OF 2024

RESOLUTION GRANTING VARIANCE FROM SUBDIVISION LAW STANDARD - PARAMOUNT BUILDING GROUP OF NY

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 Nay; 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. 84 OF 2024

RESOLUTION DECLARING ITEM TO BE SURPLUS PROPERTY

The foregoing Resolution, offered by Supervisor Herrington 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.

A Public Hearing for Introductory Local Law 5 of 2024 was scheduled for Monday, December 30th, 2024 at 6 pm.

The End-of-Year meeting was scheduled for Monday, December 30th, 2024 at 6:15 pm.

The Organization Meeting was scheduled for Thursday, January 2nd, 2025 at 6 pm.

Councilman Sullivan made a motion to introduce Local Law 5 of 2024, establishing residency requirements for the Town Attorney for the Town of Brunswick.

CORRESPONDENCE:

None.

OLD BUSINESS:

Supervisor Herrington said at the November meeting, there were several questions regarding the town's IT services. Supervisor Herrington asked Mr. Poletto, Assistant to the Supervisor, to give the history of working with AIT Computers, which began in 1994.

Supervisor Herrington apologized to the board for last month's lengthy public comment period. He stated the public comment period is meant for comments, not a "Q&A" session.

NEW BUSINESS:

None.

WARRANTS:

Warrants No. 241229 through 241309, No. 112224001 through 112224009, and No. 120624001 through 120624006 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	\$	100,091.83
Highway	\$	32,176.92
Water	\$	183,933.72
Sewer	\$	584.35
Special Sewer District #6	\$	454.14

VISITORS WHO WISH TO SPEAK:

Jim Tkacik, Brunswick Road, said he appreciates the historical perspective of computerization of the town. He read from a letter addressing the board asking specific questions related to AIT Computers and the recent changes made to the town's website. The letter was provided to the board members and is filed with the minutes.

ADJOURNMENT:

Councilman Balistreri made a motion to adjourn. Motion was seconded by Councilman Sullivan. Unanimously approved. The meeting adjourned at 8:20 p.m.

Respectfully submitted,

Rebecca Del Gaizo
Town Clerk