

**TOWN OF BRUNSWICK
REGULAR TOWN BOARD MEETING
NOVEMBER 12, 2020, 7:00 P.M.
TOWN HALL**

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

Board Members Absent: None.

Also Present: Attorney, Andrew Gilchrist and Town Clerk, William Lewis.

Supervisor Herrington called the meeting to order at 7:30 p.m.
All joined in with the salute to the flag.

Note: The meeting had been delayed due to a Public Hearing held prior to this meeting running longer than anticipated.

VISITORS WHO WISH TO SPEAK:

Jim Tkacik, 387 Brunswick Road, had attended the Public Hearing prior to this meeting concerning Proposed Local Law #2 of the year 2020, and was aware that a Resolution to consider adoption of said Law was on this evening's agenda. He felt that due to public comments and concerns heard at the hearing, the Board should hold off on a vote to consider that input and discuss the Law further.

Caroline Trzcinski, Moonlawn Road, being a member of a knitting group of around 20 members, wanted to thank the Town for allowing them to use the Community Center as their meeting place. Everyone enjoys the space and the size of the room allows them to spread out for social distancing.

BUSINESS MEETING:

MINUTES OF THE PREVIOUS MEETING:

Councilman Sullivan made a motion to accept the minutes of the October 8, 2020 regular meeting and the minutes for two Public Hearings, both also held on October 8, 2020. Motion seconded by Councilman Christian. Unanimously approved.

REPORTS:

Town Clerk: William Lewis

Mr. Lewis gave his report for the month of October. \$6,831.97 will be remitted to the Supervisor's office. Recycling fees accounted for \$5,296.00, Community Center rental fees for \$600.00, Dog Licensing fees \$436.00, and \$499.00 in miscellaneous fees making up the balance. 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 October. The report showed \$7,342.50 was collected for Building Permit and Zoning Variance/Planning Board Fees. 17 building permits were issued or renewed, 34 building inspections were performed and active permits totaled 323. The department had no code call outs, 4 code complaints, 3 code complaint inspections, no fire inspections and 6 follow up inspections. There are 8 Planning Board projects open or approved and 8 with the Zoning Board. No new vacant/abandoned properties were identified.

Mr. Golden pointed out that even with the Covid-19 pandemic, new housing starts from January to the end of October this year were at 14, with 3 more permits currently being processed. Last year for the same period there were 15. 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.

Town Attorney: Thomas Cioffi

Mr. Cioffi was unable to attend the meeting. His oral report(s) will be heard at the next Town Board Meeting to be held December 12, 2020.

Supervisor Herrington noted that due to the Covid-19 pandemic, department heads continue to have the option of not attending the monthly Board Meeting. The following reports for the month of October were submitted by the respective department heads in lieu of personally appearing to present orally, and copies were included in each Board Member's packet.

Highway: Terry Scriven

Water & Sewer: Bill Bradley

Town Historian: Sharon Zankel

Recycling Coordinator: Thomas Engster

Library Report: Sara Hopkins

Motion to accept submitted reports was made by Councilman Balistreri and seconded by Councilman Christian. Unanimously approved. Copies of the written reports are on file in the Town Clerk's Office.

CORRESPONDENCE:

None.

OLD BUSINESS:

Councilman Balistreri asked about the upcoming Public Referendum concerning adoption of the new policies and payments proposed for the Length of Service Award Program administered by the town on behalf of three fire companies serving the Town of Brunswick. It was confirmed the Referendum voting will be on December 8, 2020 at Town Hall between the hours of 12:00 to 8:00 p.m. After some discussion it was determined that certain logistics of the voting will need to be worked out.

NEW BUSINESS:

Supervisor Herrington noted the need to schedule Public Hearings concerning the proposed budgets of Center Brunswick and Brunswick #1 Fire Departments. After discussion, the date and times for the hearings, to be held at Town Hall, were scheduled as follows:

Center Brunswick FD hearing to commence at 6:00 p.m.

Brunswick #1 hearing to commence at 6:30 p.m.

The Notices of Public Hearings will be published in the Record and posted on the Town website and Town Hall bulletin board.

WARRANTS:

Warrants No. 201054 through 201172, No.101620001, through 101620006, No. 103020001 through 103020009 and No. 111320001 through 1113007 were presented. Motion to approve the warrants was made by Councilman Sullivan and seconded by Councilman Balistreri. Unanimously approved.

Individual fund expenses were as follows:

General	\$	61,550.02
Highway	\$	270,805.41
Water	\$	6,737.92
Sewer	\$	60.62
Special Sewer	\$	11.14

RESOLUTIONS:

Resolution No. 65 Resolution Approving and Authorizing the Supervisor to Execute, Natural Gas Transaction Confirmation and Commodity Master Agreement for Natural Gas with Direct Energy Business in Cooperation with the Municipal Electric and Gas Alliance, Inc. (MEGA) and Pursuant to Genesee County Bid Award and Contract. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Cipperly, was duly put to a roll call vote as follows: Councilman Christian, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Aye; Councilman Cipperly, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 66 Resolution Approving and Authorizing the Supervisor to Execute, Electricity Supply Agreement for Electricity with Constellation New Energy in Cooperation with the Municipal Electric and Gas Alliance, Inc. (MEGA) and Pursuant to Genesee County Bid Award and Contract. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Sullivan, was duly put to a roll call vote as follows: Councilman Christian, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Aye; Councilman Cipperly, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 67 Resolution Modifying and Revising the 2021 Preliminary Budget and Finally Adopting the Said Preliminary Budget as the 2021 Annual 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 Christian, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Aye; Councilman Cipperly, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution and Order was thereupon declared duly adopted.

Resolution No. 68 Resolution Accepting Bid, Awarding Contract, and Authorizing Supervisor to Execute Agreement on Behalf of the Town – 296 Town Office Road Demolition. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Cipperly, was duly put to a roll call vote as follows: Councilman Christian, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Aye; Councilman Cipperly, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 69 Resolution Appointing Member to Zoning Board of Appeals. The foregoing Resolution, offered by Councilman Balistreri and seconded by Councilman Christian, was duly put to a roll call vote as follows: Councilman Christian, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Aye; Councilman Cipperly, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 70 Resolution Authorizing Purchase of Equipment for Town of Brunswick Highway Department. The foregoing Resolution, offered by Councilman Christian and seconded by Supervisor Herrington, was duly put to a roll call vote as follows: Councilman Christian, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Aye; Councilman Cipperly, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Resolution No. 71 Resolution Directing Relevy of Unpaid Vacant Building Registration Fees. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Sullivan, was duly put to a roll call vote as follows: Councilman Christian, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Aye; Councilman Cipperly, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

At this time, Supervisor Herrington recused himself from the meeting, turning it over to Deputy Supervisor Christian. He explained that the Local Law being considered in the following Resolution, was similar to one proposed in 2017 that he had recused himself from. While he did not believe he had any conflict of interest legally prohibiting him from voting on this Resolution, in order to avoid even the appearance of conflict of interest, he was recusing himself again. He excused himself from the remainder of the meeting.

Deputy Supervisor Christian continued with the meeting agenda.

Resolution No. 72 Resolution Adopting Town of Brunswick Local Law No. 1 of the Year 2020 Entitled “A Local Law Providing for the Defense and Indemnification of Officers and Employees 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 Christian, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Balistreri, Voting Aye; Councilman Cipperly, Voting Aye; Supervisor Herrington, Voting Recused. The foregoing Resolution was thereupon declared duly adopted.

FURTHER VISITORS WHO WISH TO SPEAK:

Jim Tkacik, 387 Brunswick Road, asked that with the Covid-19 restrictions, who was in charge of enforcing them. Mr. Golden, Code Enforcement, noted he could enforce occupancy limits. Councilman Christian noted that officials from the Department of Health have been visiting local restaurants and bars. Attorney Gilchrist added that the Executive Orders are technically deemed to be requirements under Public Health Law, and places the majority of enforcement under the control of State and County departments such as the State Liquor Authority, State and County Health Departments and local police. The roll of the Town Code Enforcement Official could certainly include citations for occupancy or closing time violations, however, any disturbances/issues with enforcing in a peaceful manner should be handled, in the case of our Town, by the State Police or County Sherriff's Department.

Caroline Trzcinski, Carroll's Grove Road, stated, for the record, that she was very disappointed that after five or six people spoke against the Proposed local Law #2 at the Public Hearing prior to the meeting, no one on the Board thought to vote against it.

ADJOURNMENT:

Councilman Balistreri made a motion to adjourn the meeting, seconded by Councilman Sullivan. Unanimously approved.

The meeting adjourned at 8:10 p.m.

Respectfully submitted,

William J. Lewis
Town Clerk