

**TOWN OF BRUNSWICK  
REGULAR TOWN BOARD MEETING  
APRIL 11, 2019, 7:00 P.M.  
TOWN HALL**

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

**Board Members Absent:** None.

**Also Present:** Town Attorney, Thomas Cioffi and Town Clerk, William J. Lewis.

Supervisor Herrington called the meeting to order at 7:05 p.m.  
All joined in with the salute to the flag.

**VISITORS WHO WISH TO SPEAK:**

None.

**BUSINESS MEETING:**

**MINUTES OF THE PREVIOUS MEETING:**

Councilman Christian made a motion to accept the Minutes of the previous meetings, seconded by Councilman Sullivan. Unanimously approved.

**REPORTS:**

*Town Clerk:* William J. Lewis

Mr. Lewis gave his report for the month of March. \$7,839.93 will be remitted to the Supervisor's office. Recycling fees accounted for \$4,226.00, Community Center fees \$2,450.00, Pavilion fees \$300.00, dog licensing fees \$363.00 and \$500.00 in miscellaneous fees making up the balance. The Community Center had 18 new reservations and the Beach Pavilion 3. New 2019 Summer Day Camp registration forms are now available, as are the 2019-2021 beach passes. Motion to accept the report was made by Councilman Casale and seconded by Councilman Balistreri. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

*Highway Superintendent:* Brandon Hill

Mr. Hill was unable to attend the meeting. A written report was provided. 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. A copy of the written report is on file in the Town Clerk's Office.

*Water & Sewer Report:* Bill Bradley

Mr. Bradley gave his report for the month of March. Monthly water sampling was completed. Quarterly THM and HAA water samples were good and barring a large algae growth in the Tomhannock Reservoir, should remain favorable. New radio read water meters are in and installations will begin soon. Several water main breaks were repaired. Mapping of storm water outfalls and culverts for MS4 Storm water requirements is continuing. Mr. Bradley has been overseeing/reviewing storm water programs with contractors for a number of projects currently under construction. Motion to accept the report was made by Councilman Christian and seconded by Councilman Casale. 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 March. The report showed \$48,329.00 was collected for Building Permit and Zoning Variance/Planning Board Fees. 12 building permits were issued or renewed, 46 building inspections were performed and active permits totaled 233. The department had 1 code call outs, 14 code complaints, 21 code complaint inspections and 1 fire inspection. An additional 8 follow up inspections were completed. There are 4 Planning Board projects open or approved and 3 with the Zoning Board. 6 vacant/abandoned properties have been identified. 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.

Town Attorney: Thomas Cioffi

Mr. Cioffi gave his report for the month of March. Other than routine matters, his work included the following: Prepared Resolutions for tonight's meeting; Worked on purchasing and contract matters with various departments; Worked with the Supervisor's Office on personnel matters; Reviewed and commented on Proposed Local Law #3 being drafted for consideration by the Town Board; Worked with the building Department on zoning enforcement issued. Motion to accept the report was made by Councilman Sullivan and seconded by Councilman Casale. Unanimously approved.

Town Historian: Sharon Zankel

Mrs. Zankel gave her report for the month of March. The Tamarac School students she had been working with, who studied Forest Park Cemetery for an exhibit entry into the National History Day competition held in Albany, won in their category! She is also coaching an individual compiling Forest Park history for a Master's Degree project, and has spoken with a person interested in producing a short film on the architecture of the Receiving Tomb at the cemetery. She continues to consult with the Center Brunswick Stewart's Shop on the development of their historic display, and has photographed the demolition of the home that stood on the site. At the request of the Building Department, she researched a small burial ground on a property and found no records. She has continued researching the history of the Eagle Mill's Christian Church, formerly the Church of Christ. There are few records here, so she has extensively searched on-line. On St. Patrick's Day, a Times Union article noted Brunswick of having 35% Irish heritage. She has referred several people to an Irish focused genealogy group in Troy which may have more information. Motion to accept the report was made by Councilman Christian and seconded by Councilman Casale. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

Recycling Coordinator: Thomas Engster

Mr. Engster gave his report for the month of March. Revenues for the month were \$4,212.00 and expenses were \$2,408.00 for a total of \$1,804.00. 26.00 tons of materials were recycled and 16.98 tons landfilled for the month. 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.

Library Report: Sara Hopkins

Ms. Hopkins gave her report for the month of March. For the month there were 3430 circulated items, 1137 digital circulations and the customer count was 2838. They processed 16 passports for earnings of \$560.00. The computers logged 217 sessions. There were 495 participants in children's events, including the St. Patrick's Day Party and the Tot's Dance Class, and 364 for adult events, including Art at the Library, which raised \$1107.00 between admissions and raffle tickets. Coming up, the Easter Bunny Hop is scheduled for April 20<sup>th</sup> at 10:30 a.m., a new book club, geared towards seniors is starting during daytime hours and Sara has been in contact with a couple of pottery teachers for quotes to run a new class. There have been no vendor signups for the Farmers Market, so the weekly event will be cancelled. They will still invite vendors for the Fall Fest. Program schedules (new and continuing), special events and news items are available at [www.brunswicklibrary.org](http://www.brunswicklibrary.org). Motion to accept the report was made by Councilman Casale and seconded by Councilman Christian. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

**RESOLUTIONS:**

**Resolution No. 37** Resolution Authorizing Amendment to Agreement for Payment in Lieu of Taxes. 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 Casale, Voting Aye; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 38** Resolution Declaring Item to be Surplus Property. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Balistreri, was duly put to a roll call vote as follows: Councilman Christian, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Casale, Voting Aye; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 39** Resolution Adopting 2019 Town Highway Plan. 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 Casale, Voting Aye; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 40** Resolution Adopting Revised Investment Policy. 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 Casale, Voting Aye; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**Resolution No. 41** Resolution Approving and Authorizing Supervisor to Execute Standard Title VI/Non-Discrimination Assurances to the New York State Department of Transportation. The foregoing Resolution, offered by Councilman Balistreri and seconded by Councilman Casale, was duly put to a roll call vote as follows: Councilman Christian, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Casale, Voting Aye; Councilman Balistreri, Voting Aye;

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

**Resolution No. 42** Resolution Authorizing the Sale of Abandoned Personal Property. 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 Casale, Voting Aye; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Prior to the following Resolution being offered, Mr. Andrew Gilchrist, Planning Board and Zoning Board attorney, reviewed the Preliminary Determination process, to date and moving forward, regarding the Brunswick Acres PDD Preliminary Sketch Plan submission. On March 14, 2019 a presentation was made by a representative of Brunswick Road Development, LLC, and questions by the Board were addressed. Also, Mr. Ron Laberge of the Laberge Group, the Town appointed engineering firm on this project, submitted a letter outlining various documents and plan information they felt should be provided before moving forward. Since this initial presentation, the developer has submitted further information, which has been reviewed, and the Laberge Group has submitted a follow up letter of recommendation (Included as part of Resolution No. 43). It concludes that for the purpose of accepting the sketch plan submittal and moving forward with the referral process, there has been an acceptable amount of information made available. However, even if accepted by the Board, there were still many items required for the project to go through the Planning and Zoning Board process, which are detailed in the new letter from the Laberge Group. Mr. Gilchrist also noted that accepting the sketch plan would only be on the merit of the project and in no way binds the Board to ultimately approve it.

**Resolution No. 43** Resolution Adopting Preliminary Determination on Brunswick Acres Planned Development District Sketch Plan. The foregoing Resolution, offered by Councilman Christian and seconded by Councilman Casale, was duly put to a roll call vote as follows: Councilman Christian, Voting Aye; Councilman Sullivan, Voting Aye; Councilman Casale, Voting Aye; Councilman Balistreri, Voting Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

**CORRESPONDENCE:**

None.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

Mr. Patrick Poletto, Bookkeeper and Assistant Supervisor, advised that the bands for the Summer Concert Series have all been booked. Details will be on the Town website soon and flyers will be available. The first concert is Tuesday June 25<sup>th</sup> and every Tuesday thereafter for ten weeks.

Next, he and Councilman Christian have been meeting with officials at Rensselaer County concerning the updating of the Hazard Mitigation Plan which is required by FEMA in order to be eligible for emergency funds. Documents have been filed and a draft Vision Statement has been put together, copies of which he passed out to the Board Members for review. The next phase is to identify projects planned which address any possible hazardous conditions. One, the Vanderheyden Reservoir project is partially complete, and Highway Superintendent Brandon Hill has identified several more projects for storm water runoff mitigation to prevent future flooding. These will be included in the plan.

Prior to the possible introduction of the following Local Law #3 of 2019, Mr. Gilchrist gave an overview of its development and contents. On January 10, 2019, Proposed Local Laws #1 and #2 were introduced. Introductory Local Law #1 would address the issue of maintenance and safety of vacant or abandoned properties in the Town of Brunswick by establishing a registry and fee schedule for such properties. Introductory Local Law #2 would establish a process of notification to clean up weeds and brush on unkempt properties, vacant or occupied, and if ignored, would allow for the Town to initiate the work and bill the owner of record. On February 14, 2019, Public Hearings were held for both Introductory Local Laws. There were several residents commenting at the hearings and afterwards by E-mail and phone, voicing their concerns primarily on the Introductory Local Law #2. After review of the public's input, it was decided that portions of Introductory Local Law #2 should be merged with Introductory Local Law #1. This resulted in the drafting of Introductory Local Law #3 and its consideration for introduction at this meeting. Property maintenance requirements, formerly contained in Introductory Local Law #2, are now redefined and part of the new Introductory Local Law #3, and pertain only to properties containing vacant or abandoned buildings. Definitions of vacant or abandoned buildings and exemptions from that determination are clarified as well. If the Town Board chooses to Introduce Local Law #3, a Public Hearing will be scheduled for a future date.

**Introductory Local Law No. 3 of the Year 2019** A Local Law Establishing a Registry for Vacant Buildings and Property Maintenance Requirements for Lots Containing a Vacant Building. Local law #3 of 2019 was introduced by Councilman Sullivan. All Board Members received copies of the Proposed Law. It was then unanimously approved to hold the Public Hearing on proposed Local Law # 3 of 2019, at Brunswick Town Hall, on May 9, 2019, at 6:30 p.m. All interested parties will be heard at that time. The complete Introductory Local Law #3 is available at the Town Clerk's Office or the Town Website at [www.townofbrunswick.org](http://www.townofbrunswick.org).

**WARRANTS:**

Warrants No. 190323 through 190428, No. 32219001 through 32219009 and No. 40519001 through 40519006 were presented. Councilman Christian made a motion to approve the warrants, seconded by Councilman Sullivan. Unanimously approved.  
Individual fund expenses were as follows:

General	\$	177,488.16
Highway	\$	251,620.13
Water	\$	417,343.94
Sewer	\$	711.48
Special Sewer District	\$	586.46

**FURTHER COMMENTS FROM VISITORS:**

Mrs. Caroline Trczinski, 205 Carrolls Grove Rd., followed up on her last month's request for a road dedication sign acknowledging a neighbor who cleans up her road and Tamarac Road daily. Supervisor Herrington has looked into this and continues to do so. She also was concerned that the Board Meeting minutes were not being posted in a timely fashion. Lastly, she asked the status of the derelict building at Clums Corners (Rtes. 2 & 278). Supervisor Herrington said he had been in contact with the owners and they are cleaning it out in preparation for demolition. Mr. Golden, Code Enforcement, has also been in touch with the owners and they are near completion. A Demolition Permit has not been applied for yet.

Mrs. Donna Holcomb, 223 Sharpe Rd., had several comments about the proposed Sharpe Road Major Subdivision being reviewed by the Planning Board. She was concerned about waste runoff from septic systems, and the possible leaching of toxic chemicals from landscape maintenance at so many homes harming wild animals and the environment; Dirt, dust, heavy trucks and noise during construction; and the inevitable increase in traffic which is already heavy. Mr. Gilchrist advised that the majority of her concerns will automatically be addressed and findings documented by many agencies as part of the planning process. This includes the Rensselaer County Department of Health, the Department of Environmental Conservation, the Army Corp of Engineers and the Department of Transportation. The review process also will require a Public Hearing, which has not been held or scheduled as yet.

Jean Cordito (sp?), Sharpe Rd. (no number given), spoke regarding the same project. She agreed with Mrs. Holcomb's concerns adding that there were wetlands on this property, as well as across the road, which are habitats for endangered Snapping Turtles. Also there are too many houses in a small area and all with septic systems. She is also concerned with increased traffic.

Mr. Charles Prefore, 108 Sharpe Rd., again regarding the same project, was most concerned with the environmental impact on wildlife, the ruining of the country feel of the area and the increase in traffic, which has already grown tremendously due to development in the area.

**PRIVATE SESSION:**

At 8:20 p.m. Supervisor Herrington entertained a motion to enter into Private Session with counsel to discuss legal issues concerning the proposed Sharpe Road development. The motion was made by Councilman Balistreri and seconded by Councilman Sullivan. Unanimously approved.

At 8:45 p.m. Councilman Sullivan made a motion to return to regular session which was seconded by Councilman Casale. Unanimously approved. No actions were taken or decisions made during the Private Session.

**ADJOURNMENT:**

Councilman Balistreri made a motion to adjourn the meeting, seconded by Supervisor Herrington. Unanimously approved. The meeting adjourned at 8:50 p.m.

Respectfully submitted,

William J. Lewis  
Town Clerk