

**TOWN OF BRUNSWICK  
REGULAR TOWN BOARD MEETING  
NOVEMBER 9, 2023, 7:00 P.M.  
TOWN HALL**

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

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

Supervisor Herrington called the meeting to order at 7:11 p.m.

All joined in with the salute to the flag.

**VISITORS WHO WISH TO SPEAK:**

Jim Murray, 126 McChesney Ave, stated is against the proposed amended Walmart PDD. He asked Mr. Cioffi if this proposal is “all or nothing”. Mr. Cioffi said there’s no reason they have to approve without conditions. Mr. Murray complained of the noise associated with the storage containers currently on site. He asked if this must be approved that they not be placed near the residents on McChesney Ave. He said they are in and out of the containers all hours of the night since stocking is completed overnight. He asked the board to consider this when they decide whether or not to approve the entire amended PDD.

George Bejian, 511 McChesney Ave Ext, asked if the solar moratorium is on the agenda. Supervisor Herrington confirmed.

Thomas McGrath, 1703 NY 7, congratulated Supervisor Herrington, Councilman Cipperly, Councilman Sullivan, and Deputy Town Clerk on their recent election victories. Supervisor Herrington said he appreciates the competition and acknowledged the time spent campaigning.

Michael Croll, 3 Riccardi Lane, said the storage containers at Walmart are very loud. He knows the ones presently on site are for their remodel, however they have proposed the containers to stay on site. He said the noise is very disturbing.

**BUSINESS MEETING:**

**MINUTES OF THE PREVIOUS MEETING:**

Councilman Sullivan made a motion to approve the minutes of the September 14<sup>th</sup> Town Board Meeting, Special Meeting on October 12<sup>th</sup>, and Town Board Meeting on October 12<sup>th</sup>. Motion seconded by Councilman Balistreri. Unanimously approved.

**REPORTS:**

*Highway Superintendent:* Mike Bayly

Mr. Bayly gave his report for the month of October. Work included: patching; brush pick up; installing and fixing plow trucks; mowing Forest Park Cemetery; recyclables hauling; brush cutting and ditching; cleaning culverts and rebuilding catch basins; milling and paving Ledgewood Dr, Hickory Rd, and Lindsay Dr; installed drainage pipe at 5 Riccardi Ln; Paved Keyes Ln and striped parking lot; and monthly residential brush pickup. Mr. Bayly appreciates working together with Rensselaer County and Dave Anthony, which helps save the Town money and they can accomplish much more. Motion to accept the report was made by Councilman Christian and seconded by Councilman Sullivan. Unanimously approved.

Water & Sewer: Bill Bradley

Mr. Bradley was unable to attend the meeting.

Code Enforcement: Charles Golden

Mr. Golden was unable to attend the meeting. His report for the month of October has been submitted. 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 October. He attended and participated in meetings with staff and outside counsel at Town Hall and by conference calls or video meetings on October 16<sup>th</sup>, 17<sup>th</sup>, 20<sup>th</sup>, 23<sup>rd</sup>, 27<sup>th</sup>, 30<sup>th</sup>, and November 1<sup>st</sup>, 2<sup>nd</sup>, 6<sup>th</sup>, and 7<sup>th</sup>; prepared the resolutions for this evening's meeting; attended and participated in the public hearing pertaining to the preliminary budget, working with outside council on two pending CPR 78 proceedings related to three Freedom of Information requests; working with insurance agent with respect to insurance claims; working with the building department on some pending and prospective enforcement matters; with the building department and assessment department regarding some potential unlawful development occurring at an existing commercial site in town, working with the supervisor's office related to personnel matters; worked with Bill Bradley and representatives of NYS DOT, regarding proceedings being undertaken by DOT to obtain property by eminent domain that is owned by the Town; prepared and reviewed various legal documents, and performed legal research and advisement as requested by town officials and employees; Motion to accept the report was made by Supervisor Herrington and seconded by Councilman Sullivan. Unanimously approved.

Town Clerk: Deputy Clerk, Rebecca Del Gaizo

Ms. Del Gaizo gave the report for the month of October. \$6,473.68 will be remitted to the Supervisor's office. Collected were recycling fees of \$3,918, Community Center fees of \$900.00 (6 new reservations), Dog License fees of \$513.00, Vital Statistics fees of \$383.00, Peddlers fee of \$310.00. Also, our share of \$5,937.82.00 in DEC sales was \$350.00. As reflected in sales, hunting licenses are strong as usual and should continue up to deer season opening in November. She reminded all to stop in and register your vehicles in order to obtain a pass allowing access to the Recycling Center from now on as well as the Town Beach next summer. She thanked the public for their support and is excited to become the next Town Clerk. She also thanked the people who worked the elections. Motion to accept the report was made by Councilman Cipperly and seconded by Councilman Christian. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office.

Town Historian: Tracy Broderick

Ms. Broderick gave her report for the month of October. Ms. Broderick has been researching two hotels on Hoosick Street. The first hotel was called Center House Hotel and Tavern and was located on the corner of Sweetmilk Creek and Hoosick Road facing Grange Road. She found a newspaper clip from 1912 that talked about the building being 100 years old at the time. It was a very large building and the upstairs was used for meeting space. The Center Brunswick band used the space to practice for several years. Joseph Allan used the hall for the OUAM, Order of United American Mechanics, a fraternal and political secret society for American citizens of both sexes. The lower part was used as a feed and storage room for the merchants that occupied the building. In 1800, Jacob Derrick purchased the building and objected to it being a hotel, so he had it converted into apartments. When he died in 1879, he left the building to his daughter with the understanding it will never be a hotel again. By the late 1880's, it became known as the "Soup House". This was used as a distribution center for the needy during hard financial times. In 1912, it was taken down by Richard Eric's son-in-law and was rebuilt on his farm in Melrose.

The other hotel was called the White's hotel, built around 1816. It was a 3-story hotel, located across from present McDonald's on Hoosick Road, today's Midas. This was a stopping place for hunters and sportsmen alike and the Troy Bennington Stagecoach in the 1850's. By the 1900's it was known as the White's Hotel. This hotel was also later converted into apartments. The wagon shed was also replaced with a tea room. Organizations like the Bluebirds social club would hold installation dinners and dances there. On May 20th, 1941, flames were seen coming from the tea room, adjacent to the hotel. The fire quickly spread through to the apartments. Troy Fire Department and Eagle Mills Fire Departments both responded to the fire but it was too far gone. Tracy reported on the recent Forest Park Walk event that had been postponed due to weather. Around 70 people participated in the annual walking event. Ms. Broderick appreciates the highway department for helping prepare the cemetery. Motion to accept the report was made by Councilman Balistreri and seconded by Councilman Christian. Unanimously approved.

Recycling Coordinator: Thomas Engster

Mr. Engster gave his report for the month of October. Revenues from bags sold, light iron, cardboard and miscellaneous appliances/electronics totaled \$3,965.50. Expenses were \$1,850.00 for landfill fees, \$531.00 for single stream recyclables. 29.12 tons of materials were recycled and landfilled for the month. Motion to accept the report was made by Councilman Christian and seconded by Councilman Sullivan. Unanimously approved. A copy of the report is on file in the Town Clerk's Office.

Community Library: Sara Hopkins

Ms. Hopkins gave her report for the month of October. Board members Matt Perfetti and Kevin Mainello were present. Ms. Hopkins thanked the Town Board for increasing the library budget to \$152,000. This will help the library obtain materials, program funding, and to better serve our community. Last month there were 3,565 physical checkouts, 2,237 walk in visitors, 4,139 digital checkouts, 174 Wi-Fi users (20/day average), assisted with 90 technical usages and 313 reference questions were addressed. 790 people participated in various programs, and 18 passports were processed. The library recently received a grant from NY Council on the Arts, that covered a program called Forest Friends, which helped children learn to create nature houses and had live music. The grant also helped fund Chinese Brush Painting program, and live Indian music. Our very special program for December 1st is Celtic Christmas concert, sings and plays multiple string instruments. On December 5th, will be a Book Wreath program, to upcycle books, December 12th Polar Express Party, grown-ups included. 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.

## **RESOLUTIONS:**

**Resolution No. 52** RESOLUTION DECLARING ITEMS TO BE SURPLUS PROPERTY. 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. 53** RESOLUTION MODIFYING AND REVISING THE 2024 PRELIMINARY BUDGET AND FINALLY ADOPTING THE SAID PRELIMINARY BUDGET AS THE 2024 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 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. 54** RESOLUTION OF THE GOVERNING BODY OF THE TOWN OF BRUNSWICK RATIFYING AN AGREEMENT FOR ADVANCE PAYMENT AND AUTHORIZING SUPERVISOR PHILIP H. HERRINGTON TO EXECUTE CLOSING PAPERS ON BEHALF OF THE TOWN OF BRUNSWICK 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. 55** RESOLUTION APPOINTING AND FIXING COMPENSATION OF TOWN EMPLOYEE The Foregoing Resolution, offered by Councilman Christian and seconded by Supervisor Herrington, 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. 56** RESOLUTION DIRECTING RELEVY OF UNPAID VACANT BUILDING REGISTRATION FEES The Foregoing Resolution, offered by Councilman Christian 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 Aye; Supervisor Herrington, Voting Aye. The foregoing Resolution was thereupon declared duly adopted.

Supervisor Herrington spoke about the public's concern on the soon to expire solar moratorium. Consultants that have been studying and working with the board on issues related to commercial solar will have the report and recommendations submitted to the board within the next 30 days. In order to review the reports and recommendations, and to give the public access, Supervisor Herrington recommends extending the moratorium for 4 months.

**Introductory Local Law No. 1 of the Year 2023** A LOCAL LAW EXTENDING A MORATORIUM ON THE FILING, ACCEPTANCE, REVIEW, OR DETERMINATION OF ANY LAND USE APPLICATION PERTAINING TO COMMERCIAL SOLAR COLLECTOR SYSTEMS IN THE TOWN OF BRUNSWICK was offered by Supervisor Herrington. Councilman Balistreri made a motion to approve scheduling the Public Hearing for December 14<sup>th</sup>, 2023 at 6 pm, seconded by Councilman Christian. Unanimously approved.

A rezoning application is pending before the Town Board. Matopato, 291 Oakwood Ave, to change the zoning on the parcel from light industrial to B15 commercial. All of the recommendations are in from the county and planning board. Attorney Cioffi recommended holding the public hearing on December 14th at 6:30 pm. Motion by Christian, seconded by Sullivan.

**CORRESPONDENCE:**

Alix Duggan, President of the Board of Trustees of Brunswick Community Library, sent a letter thanking the town for approving their budget proposal.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

**WARRANTS:**

Warrants No. 231070 through 231186, No.102723001 through 102723009 and No.110923001 through 110923006 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	\$	134,796.77
Highway	\$	173,424.49
Water	\$	7,596.07
Sewer	\$	394.55
Special Sewer District #6	\$	332.83

**FURTHER VISITORS WHO WISH TO SPEAK:**

Jim Tkacik, 387 Brunswick Road, commented on the solar moratorium. He hopes the Town Board can work out the final details in the next 4 months. He also commented on the Walmart PDD Amendment proposal. He states the Building Department has no detailed information to share such as how things will operate in terms of traffic and night stocking from the outside storage containers.

**ADJOURNMENT:**

Supervisor Herrington made the motion to adjourn. Motion was seconded by Councilman Balistreri. Unanimously approved. The meeting adjourned at 7:57 p.m.

Respectfully submitted,

Rebecca Del Gaizo  
Deputy Town Clerk