

**TOWN OF BRUNSWICK
REGULAR TOWN BOARD MEETING
July 10, 2025 7:00 P.M.
TOWN HALL**

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

Also Present: Town Attorney, Dave Gruenburg and Town Clerk, Rebecca Del Gaizo.

Supervisor Herrington called the meeting to order at 7:09 p.m.

PUBLIC HEARING:

**PROPOSED FRANCHISE AGREEMENT BETWEEN THE TOWN AND
SPECTRUM NORTHEAST, LLC, A SUBSIDIARY OF CHARTER
COMMUNICATIONS, INC., ON A PROPOSED FRANCHISE AGREEMENT
FOR CABLE TELEVISION SERVICE**

At Supervisor Herrington's request, the Town Clerk read the purpose of the Public Hearing into record. The Resolution had been posted on the Town website, the Town Hall bulletin board.

No public comments were received.

Councilman Christian made a motion to close the public hearing, seconded by Supervisor Herrington. Unanimously approved. The public hearing closed at 7:13 p.m.

PUBLIC HEARING:

**PETITION SEEKING EXTENSION OF TOWN OF
BRUNSWICK CONSOLIDATED WATER DISTRICT**

At Supervisor Herrington's request, the Town Clerk read the purpose of the Public Hearing into record. The Notice had been posted on the Town website, the Town Hall bulletin board and published in the Troy Record.

Representatives for the Brunswick Acre's 24-lot subdivision project briefly described plans for the water district's infrastructure that will be paid for by the developer.

No public comments were received.

Councilman Christian made a motion to close the public hearing, seconded by Councilman Sullivan. Unanimously approved. The public hearing closed at 7:17 p.m.

PUBLIC HEARING:

**PETITION FOR ESTABLISHMENT OF THE BRUNSWICK
ACRES SUBDIVISION BRUNSWICK DRAINAGE DISTRICT**

At Supervisor Herrington's request, the Town Clerk read the Notice of Public Hearing into record. The Notice had been posted on the Town website, the Town Hall bulletin board.

Representatives for the Brunswick Acre's 24-lot subdivision project briefly described a proposed drainage district, which will fund stormwater management through a special taxing district.

No public comments were received.

Councilman Christian made a motion to close the public hearing, seconded by Councilman Sullivan. Unanimously approved. The public hearing closed at 7:21 p.m.

Supervisor Herrington called the meeting to order at 7:21 p.m.

All joined in with the salute to the flag.

BUSINESS MEETING:

MINUTES OF THE PREVIOUS MEETING:

Supervisor Herrington made a motion to accept the minutes of the regular Town Board meeting on June 12, 2025. Motion was seconded by Councilman Balistreri. Unanimously approved.

REPORTS:

Town Clerk: Rebecca Del Gaizo

Ms. Del Gaizo gave the report for the month of June. \$10,491.13 will be remitted to the Supervisor's office. Rounding numbers, recycling fees accounted for \$3,579.00, Community Center and Pavilion rental fees for \$1,595.00, Dog License fees for \$398.00 and \$4,919.00 in miscellaneous fees. The Community Center had 7 new reservations and the pavilion had 3 events scheduled. Our share of \$1,983.56 in N.Y.S.D.E.C. sales was \$94.44. Ms. Del Gaizo attended and participated in various trainings and conferences including a webinar, "Seeking Competition in Procurement" and a security briefing with Governor Kathy Hochul. The Town Yard Sale has been rescheduled to Saturday, July 19, 2025 from 9:00 A.M. to 1:00 P.M. The Town Clerk's Office will be open for business during that time. 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 the report for the month of June. Work included: brush pick up; ditching; sweeping; graveling dirt roads; patching; recycling pulls; shop work; roadside mowing; ballfield mowing; working on military banners; picking up bags; crack sealing; and beach work. Motion to accept the report was made by Supervisor Herrington and seconded by Councilman Sullivan. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office. Mr. Bayly remarked Safety Kleen recently picked up around 550 gallons of used oil, typical for a 6-month collection. Supervisor Herrington advised a recent drive-through of the town with the town's insurance carrier resulted in the suggestion to remove "Children At Play" signs from roadways as they provide children confidence to play in streets. Mr. Bayly said he will begin work to remove the signage.

Water & Sewer: Bill Bradley

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Mr. Bradley was unable to attend the meeting. No report has been filed with the Town Clerk's Office.

Code Enforcement: Kevin Mainello

Mr. Mainello gave the report for the month of June. The report showed \$21,545.45 was collected for Building Permits and Zoning and Planning Board Fees. 27 building permits were issued or renewed, 42 building/property inspections were performed and active permits totaled 389. The department had 3 code call outs, 12 code complaints, 15 code complaint inspections, 5 follow up complaint inspections and 0 fire inspections. 0 additional vacant/abandoned properties were identified. There are 9 Planning Board projects open or approved and 5 with the Zoning Board. 20 FOIL requests were received as well as zoning inquiries. Motion to accept the report was made by Councilman Christian and seconded by Councilman Balistreri. Unanimously approved. A copy of the written report is on file in the Town Clerk's Office. Supervisor Herrington inquired about demolition work needed at 181 McChesney Avenue Extension. Mr. Mainello said he hasn't seen demolition activity and would like to see a written agreement with a contractor for the property. He mentioned he was recently notified the property is in foreclosure status.

Town Historian: Tracy Broderick

Ms. Broderick reported on a few of the town's military veterans and their contributions, including those from World War II and other conflicts. Raymond Calhoun of Center Brunswick and a First Class Machinist, drove a bulldozer onto the beach in Italy and was immediately struck by enemy fire, surviving with minor injuries. Clinton Shaver of Eagle Mills and having served in the U.S. Navy during an invasion of the Philippines, was awarded the Purple Heart for his wounds sustained in action from a Japanese attack on his ship. Raymond Smith of Brunswick served as Staff Sergeant in the U.S. Army. He was awarded the Silver Star for his bravery and heroism, rescuing wounded soldiers from enemy fire. John Green of Cropseyville, bravely fought in the Battle of Saipan and was injured by a grenade thrown by a 14-year old Japanese boy. Motion to accept the report was made by Councilman Christian and seconded by Councilman Sullivan. Unanimously approved. No report has been filed with the Town Clerk's Office.

Recycling Coordinator: Thomas Engster

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

Community Library: Sara Hopkins, Library Director and Andrea Wedler, Library Board Trustee
Ms. Hopkins started by thanking Mr. Bayly and Mr. Bradley for assistance with recent sewer and air conditioning repairs. The annual Summer Reading Program began June 30th and runs through the end of August. She said modeling reading behavior is important to increasing literacy rates. She mentioned a few upcoming programs including a jazz-filled picnic, kids ballet and yoga events. Ms. Hopkins presented the report for the month of June. Last month, there were 3,576 physical checkouts, 2,353 walk in visitors, 3,366 digital checkouts, 170 Wi-Fi users (20/day average), staff assisted patrons with 85 instances of technical support and 429 reference questions were addressed. 818 people participated in various programs, and 12 passports were processed. 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.

RESOLUTIONS

RESOLUTION AND ORDER NO. 55, 2025

TOWN OF BRUNSWICK REGULAR MEETING July 10, 2025

RESOLUTION AND ORDER ESTABLISHING EXTENSION OF TOWN OF BRUNSWICK CONSOLIDATED WATER DISTRICT

WHEREAS, the Town Board of the Town of Brunswick is in receipt of a petition requesting an extension of Town of Brunswick Consolidated Water District (hereinafter “Water District”), together with a Map, Plan and Report (last revised June 4, 2025) for such proposed extension of the Water District, including a map showing the boundaries of the proposed extension to the Water District, a general plan to serve the proposed extension to the Water District, and a report on the proposed method of operation thereof; and

WHEREAS, said Map, Plan and Report, including estimates of costs, was prepared by C.T. Male Associates, a professional engineering firm in the State of New York, and has been filed in the office of the Town Clerk of the Town of Brunswick, where the same is available during regular business hours for examination by any person interested in the subject matter; and

WHEREAS, such extension to the Water District is being proposed by Petitioner in connection with the Brunswick Acres Planned Development District, as previously approved by the Town Board of the Town of Brunswick, and the subdivision plan for which having been previously approved by the Planning Board of the Town of Brunswick; and

WHEREAS, a condition of both Town Board and Planning Board approvals was the extension of the Water District to service the Brunswick Acres project; and

WHEREAS, the boundaries of the proposed extension to the Water District are identified in Schedule A attached hereto; and

WHEREAS, the proposed extension of the Water District is depicted on the map attached hereto as Schedule B; and

WHEREAS, the improvements proposed for the extension of the Water District are set forth in the Map, Plan and Report filed with said Petition requesting such extension to Town of the Water District, as last revised June 4, 2025; and

WHEREAS, the Town Board reviewed said Petition and determined it to be in due form and complete, including the necessary map, plan and report attached thereto according to law; and

WHEREAS, the Town Board duly adopted Resolution and Order No. 53 on June 12, 2025, accepting said Petition, and scheduling a Public Hearing upon said Petition to be held on July 10, 2025; and

WHEREAS, a Notice of Public Hearing upon said Petition was duly published and posted according to law; and

WHEREAS, the Town Board held a Public Hearing on said Petition for Establishment of Extension to Consolidated Water District on July 10, 2025, and heard all persons interested in the subject matter thereof; and

WHEREAS, the Town Board closed said Public Hearing on said Petition for Establishment of Extension to Consolidated Water District on July 10, 2025; and

WHEREAS, the Town Board has fully considered said Petition for Establishment of Extension to Consolidated Water District, and has further considered all comments received during the Public Hearing thereon, and has duly deliberated thereon; and

WHEREAS, the Town Board previously adopted a Negative Declaration under the State Environmental Quality Review Act with regard to the Brunswick Acres Planned Development District;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Town Board of the Town of Brunswick in the regular session duly convened as follows:

1. The Town Board hereby makes the following findings:
 - a. That the Petition for establishment of Extension to Consolidated Water District in the Town of Brunswick, duly signed and acknowledged by the property owner, is in accordance with applicable law and is otherwise sufficient; and
 - b. That all the property and property owners within the proposed Extension to Consolidated Water District boundaries are benefited thereby; and
 - c. That all the property and property owners benefited are included within the proposed Extension to Consolidated Water District boundaries; and
 - d. That it is in the public interest to establish the proposed Extension to Consolidated Water District in the Town of Brunswick.
2. The Town Board hereby establishes Extension to Consolidated Water District in the Town of Brunswick to be described as set forth in Schedule “A”, annexed hereto, and as shown on the map annexed hereto at Schedule “B”.
3. The establishment of Extension to Consolidated Water District will allow the construction of new water lines to service properties within the proposed district extension as described in the map, plan and report included in said Petition to establish such district extension.
4. The costs of the typical property (based on estimated total annual flow per unit) is estimated to be Eight Hundred Fourteen Dollars and Sixty-Four cents (\$814.64) per year.

5. All proposed improvements in connection with Extension to Consolidated Water District as described herein shall be constructed by the property owner within said district extension (the “Owner”), and the cost of all such improvements, including but not limited to construction and engineering costs, rights of way, legal fees, and/or other expenses, shall be borne by the Owner, and at no cost to the Town of Brunswick.

6. Upon completion of all such water improvements as described herein with respect to Extension to Consolidated Water District, and upon review and acceptance of the same by the Town Consulting Engineer and Town Water Department, the Owner shall transfer all right, title and interest to and in such improvements to the Town of Brunswick at no costs, and the Owner shall execute all documents necessary to effectuate such transfer and all costs associated with such transfer shall be borne by the Owner.

7. The Owner is required to obtain all necessary and applicable permits and/or approvals for such proposed improvements in connection with Extension of Consolidated Water District.

8. The Town Clerk of the Town of Brunswick be and is hereby authorized and directed to file a certified copy of this Resolution and Order, in the Office of the State Department of Audit and Control, Albany, New York, within ten (10) days after the adoption of this Resolution and Order.

The foregoing Resolution and Order, offered by Councilman Christian and seconded by Councilman Sullivan, was duly put to a roll call vote as follows:

COUNCILMAN SULLIVAN	VOTING <u>AYE</u>
COUNCILMAN CHRISTIAN	VOTING <u>AYE</u>
COUNCILMAN CIPPERLY	VOTING <u>AYE</u>
COUNCILMAN BALISTRERI	VOTING <u>AYE</u>
SUPERVISOR HERRINGTON	VOTING <u>AYE</u>

The foregoing Resolution and Order was thereupon declared duly adopted.

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RESOLUTION AND ORDER NO. 56, 2025

TOWN OF BRUNSWICK REGULAR MEETING

Town of Brunswick

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**RESOLUTION AND ORDER ESTABLISHING BRUNSWICK
ACRES SUBDIVISION BRUNSWICK DRAINAGE DISTRICT**

WHEREAS, the Town Board of the Town of Brunswick (“Town Board”) received a Petition requesting the establishment of a Drainage District to be known as the Brunswick Acres Subdivision Brunswick Drainage District (hereinafter “Drainage District”), together with a Map, Plan and Report (last revised June 11, 2025) for such proposed establishment of the Drainage District, including a map showing the boundaries of the proposed Drainage District, a general plan of the proposed Drainage District system, and a report on the proposed method of operation thereof; and requesting the establishment of the Sharpe Road Subdivision Brunswick Drainage District; and

WHEREAS, said Map, Plan and Report, including estimates of costs, was prepared by C.T. Male Associates, a professional engineering firm in the State of New York, and has been filed in the office of the Town Clerk of the Town of Brunswick, where the same is available during regular business hours for examination by any person interested in the subject matter; and

WHEREAS, such establishment of the Drainage District is being proposed by Petitioner in connection with the Brunswick Acres Planned Development District, as previously approved by the Town Board of the Town of Brunswick, and the subdivision plan for which having been previously approved by the Planning Board of the Town of Brunswick; and

WHEREAS, a condition of both Town Board and Planning Board approvals was the establishment of a Drainage District to service the Brunswick Acres project; and

WHEREAS, the boundaries of the proposed Drainage District are identified in Schedule A attached hereto; and

WHEREAS, the proposed Drainage District is depicted on the map attached hereto as Schedule B; and

WHEREAS, the improvements proposed for the extension of the Drainage District are set forth in the Map, Plan and Report filed with said Petition requesting such extension to Town of the Water District, as last revised June 11, 2025; and

WHEREAS, the Town Board reviewed said Petition and determined it to be in due form and complete, including the necessary map, plan and report attached thereto according to law; and

WHEREAS, the Town Board duly adopted Resolution and Order No. 54 on June 12, 2025, accepting said Petition for the Establishment of the Brunswick Acres Subdivision Brunswick Drainage District, and scheduling a Public Hearing upon said Petition to be held July 10, 2025; and

WHEREAS, a Notice of Public Hearing upon said Petition was duly published and posted according to law; and

WHEREAS, the Town Board held a Public Hearing on said Petition for Establishment of the Brunswick Acres Subdivision Brunswick Drainage District on July 10, 2025, and heard all persons interested in the subject matter thereof; and

WHEREAS, the Town Board closed such Public Hearing on said Petition for Establishment of the Brunswick Acres Subdivision Brunswick Drainage District on July 10, 2025; and

WHEREAS, the Town Board has fully considered said Petition for Establishment of the Brunswick Acres Subdivision Brunswick Drainage District, and has further considered all comments received during the Public Hearing thereon, and has duly deliberated thereon;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Town Board of the Town of Brunswick in regular session duly convened as follows:

1. The Town Board hereby makes the following findings:

a. That the Petition for the establishment of the Brunswick Acres Subdivision Brunswick Drainage District in the Town of Brunswick, duly signed and acknowledged by the property owner, is in accordance with applicable law and is otherwise sufficient; and

b. That all the property and property owners within the proposed Brunswick Acres Subdivision Brunswick Drainage District boundaries are benefited thereby; and

c. That all the property and property owners benefited are included within the proposed Brunswick Acres Subdivision Brunswick Drainage District boundaries; and

d. That it is in the public interest to establish the proposed Brunswick Acres Subdivision Brunswick Drainage District in the Town of Brunswick.

The Town Board hereby establishes Brunswick Acres Subdivision Brunswick Drainage District in the Town of Brunswick, to be described as set forth in Schedule “A”, annexed hereto, and as shown on the map annexed hereto at Schedule “B”.

2. The establishment of the Brunswick Acres Subdivision Brunswick Drainage District shall allow the construction of stormwater management improvements and facilities to service properties within the proposed district, and as further described in the map, plan and report included in said Petition to establish such district.

3. The estimated first year cost to the typical property (one unit) for operation and maintenance costs is estimated to be Three Hundred Sixty-Eight Dollars and Seventy-Five cents (\$368.75).

4. All proposed improvements in connection with Brunswick Acres Subdivision Brunswick Drainage District as described herein shall be constructed by the property owner within said district extension (the “Owner”), and the cost of all such improvements, including but not limited to construction and engineering costs, rights of way, legal fees, and/or other expenses, shall be borne by the Owner, and at no cost to the Town of Brunswick.

5. Upon completion of all such stormwater improvements by the Owner as described herein with respect to the Brunswick Acres Subdivision Brunswick Drainage District, and upon review and acceptance of the same by the Town Consulting Engineer and Town Water Department, the Owner shall transfer all right, title and interest to and in the detention pond parcel to the Town of Brunswick at no cost; transfer easements to the Town of Brunswick for access to all stormwater improvements located on private residential lots as described in the map, Town of Brunswick

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plan, and report; and the Owner shall execute all documents necessary to effectuate such transfers and all costs associated with such transfers shall be borne by the Owner. All stormwater improvements located within the subdivision road right-of-way will be transferred to the Town of Brunswick at the time of road dedication.

6. The Town Clerk of the Town of Brunswick be and is hereby authorized and directed to file a certified copy of this Resolution and Order, in duplicate, in the Office of the State Department of Audit and Control, Albany, New York, within ten (10) days after the adoption of this Resolution and Order.

The foregoing Resolution and Order, offered by Councilman Sullivan and seconded by Councilman Christian, was duly put to a roll call vote as follows:

COUNCILMAN SULLIVAN	VOTING <u>AYE</u>
COUNCILMAN CHRISTIAN	VOTING <u>AYE</u>
COUNCILMAN CIPPERLY	VOTING <u>AYE</u>
COUNCILMAN BALISTRERI	VOTING <u>AYE</u>
SUPERVISOR HERRINGTON	VOTING <u>AYE</u>

The foregoing Resolution and Order was thereupon declared duly adopted.

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CORRESPONDENCE:

This agenda item was not discussed.

OLD BUSINESS:

Councilman Balistreri and Cipperly both commented on the attendance and commentary at the public hearing regarding obtaining designated ambulance services held on July 9th, 2025. They hope to move forward with a resolution at the August meeting.

NEW BUSINESS:

Councilman Cipperly said he attended a recent meeting regarding proposals for fixing or removing the Dunn Reservoir in Grafton. He said he has concerns that the dam was never supposed to act as a means for flood control and that it could if it were made functional again. He hopes the board will entertain a resolution to support keeping the Dunn Reservoir.

WARRANTS:

Warrants No. 250648 through 250779, No. 62025001 through 62025009 and No. 70325001 through 70325006, were presented. Motion to approve the warrants was made by Councilman Balistreri and seconded by Supervisor Herrington. Unanimously approved. Individual fund expenses were as follows:

General	\$ 125,016.21
Highway	\$ 42,917.09
Water	\$ 29,286.81

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Sewer	\$	3,673.19
Special Sewer District #6	\$	774.80
Special Fire	\$	0.00
Trust & Agency	\$	188,052.31

VISITORS WHO WISH TO SPEAK:

Mary Ellen Adams thanked the board for the public hearing on ambulances held the night before. She then asked about removing the “Children At Play” signs as mentioned earlier in the meeting. She asked about reverse liability with the signs removed. Ms. Bruno continued by asking about newly discovered stop signs on Cooper Avenue. She questioned when her neighborhood will see speed humps installed as mentioned after the completion of Hannaford as a way for traffic mitigation and safety. She said according to the N.Y.S. Department of Transportation, traffic signal synchronization could begin within the next few months. She continued by mentioning N.Y.S. Energy Research and Development’s Clean Energy and Your Comprehensive Plan for Local Governments document. She also commented how the town’s current comprehensive plan does not include renewable or solar energy regulations since it didn’t exist at the time of creation, adding to growing concern the town has no guidance and will continue responding reactively versus proactively. Ms. Adams reminded the board to actively listen to the residents’ concerns and use their position to make improvements.

Ellen Montiel, representing 304 petition signers, voiced her opposition to the proposed solar farm at 511 McChesney Avenue Extension and acknowledged the Town Board’s limited responsibility in the approval process. She continued by saying there were several misrepresentations in the SEQRA review at the Planning Board meeting. She said there has been no mention of deer and turkey habitats being disrupted, the increased flooding that is associated with 16,000 solar panels installed on an area that suffers regular flooding, and the close proximity to the Poesten Kill, and local scenic and historical resources. Supervisor Herrington said solar farms make money from state and federal grants and subsidies rather than development.

Andrea Wedler expressed concern that no designated school zone exists near Brittonkill Central School. Supervisor Herrington suggested she reach out to N.Y.S. Department of Transportation. He said they have made previous attempts at lowering the speed to no avail.

Jason Del Gaizo suggested the town consider ideas similar to the residential vacant property fee to apply to vacant commercial properties. He explained this idea could encourage businesses to consider economical viability more deeply when proposing new development and could minimize unsightly vacant commercial properties.

Arden Bull raised personal questions directed at the Town Clerk, including inquiries about her work schedule and personal life. Ms. Del Gaizo reassured him the Town Clerk’s Office will experience no interruption in services even if she works remotely.

Mary Ellen Adams said she has visited the Town Clerk’s Office numerous times and had professional experiences and believes Ms. Del Gaizo takes her role seriously. She said she was disappointed the previous comments felt like they were roasting the Town Clerk. Supervisor Herrington said he is used to a town clerk eating her lunch at her desk versus expecting staff to have the hour lunch to themselves.

Jim Tkacik said it is out of place to discuss personal information such as salaries and health insurance benefits at a board meeting. Councilman Cipperly said the board is often accused of a lack of transparency so they need to ask questions. Supervisor Herrington stated Ms. Del Gaizo has not reported any change in employment status with the board.

ADJOURNMENT:

There being no further business, Councilman Sullivan made a motion to adjourn the meeting, seconded by Councilman Christian. The meeting adjourned at 8:30 P.M.

Respectfully submitted,

Rebecca Del Gaizo, Town Clerk