

Village of The Branch – Board of Trustees Meeting  
October 11, 2016

The monthly meeting of the Village of The Branch was held in the Village Hall, 40 Route 111, Smithtown, NY 11787, at seven thirty p.m. on October 11, 2016. Mayor Delaney, Trustees Buonaiuto, Donnelly and Newman, Treasurer Mequia, Attorney Chris Ring, Building Inspector Gerard Harris and Village Clerk Cozine were present.

Mayor Delaney called the meeting to order and lead those present in the Pledge of Allegiance at 7:36 pm.

Trustee Donnelly made a **motion** to accept the minutes of the October work session minutes. Trustee Buonaiuto seconded the motion. All in favor and was approved unanimously.

Trustee Newman made a **motion** to accept the minutes of the September Board of Trustees minutes. Trustee Donnelly seconded the motion. All in favor and was approved unanimously.

### **Treasurer's Report**

Treasurer Mequia reported that:

- Auditors will be here October 20<sup>th</sup>.
- 5 Outstanding tax payments; Pearlman's was paid this month.
- Court Clerk Ann Mequia changed the FBS bills to reflect the surcharge for handicap fees.

Trustee Newman made a **motion** to accept the Treasurer's Report as submitted and direct the Treasurer to pay all the bills on Abstract # 2117 totaling \$36,826.30. Trustee Donnelly seconded the motion which was approved unanimously.

### **Building Inspector's Report**

Building Inspector Harris reported that:

- 2 building permits issued, 1 sign permit
- 6 C/O & C/C
- 3 Notice of Violations: GBDB E. Main Street – graffiti and 6 Plaza Dr. – tree and 267 E. Main St. – curb sign
- 1 tree removal – 309 E. main St. – 3 dead trees
- Urgent Care on Miller Place plans to open up on December 1<sup>st</sup>.

At this time, the meeting was opened to the Public:

Mr. Grimm, resident of Judges Lane, inquiring about the loud noise coming from the Brush Barn. The doors were open and they shouldn't have been. At 3:30 pm a Wedding began and a lot of noise ensued.

Mrs. Libby Smith, resident of Judges Lane, came forward at this time with a phone that had a recording of the loud music from her house.

Ms. Marianne Howard, Director of SHS, came forward to explain that Public Safety never assigned an officer to event. It was an oversight on their part. And when a call came in at 6:30pm an officer was dispatched to the scene and spoke to the bride to lower the music. Trustee Newman mentioned to Marianne about air conditioning not working properly and this could be the reason why doors were open. Suggested they look into that further.

Kristen Slevin, Yottabyte business owner, looking to have a safe trick or treat Halloween in the Village of The Branch. Contacted Smithtown Chamber of Commerce and they told her they don't get involved in religious holidays. So then contacted Town of Smithtown and they were on board as long as the signs in the windows don't occupy more than 25% of the glass. When she inquired the VOB shop owners, they gave her negative feedback saying the Village wouldn't allow them to do something like that. So that's why she's inquiring the Board tonight to see if they would support this initiative. Mayor Delaney offered to write a letter on behalf of the entire Board approving this.

Also wanted to let Board know she is in the process of starting a Smithtown Main Street Civic Association since there is none. Started a Facebook page and so far 115 people showed interest, Mayor Delaney told her to get in touch with Leslie Kennedy for help.

John Mannone, Mobilitie Permit Manager, looking to build an infrastructure (digital fiber optic) in our right of way. They are flexible with the location, although they would prefer the one put forth in their permit application. Mentioned they could make it lower in height. Trustee Donnelly also asked if they could give us 3 to 5 other locations within the village. Mayor Delaney also inquired what would be in it for the village? A licensing agreement would be discussed at a further date and time, first wanted to see if we were amendable to the idea of the structure in our village.

Brian Monihan, resident 1 Oaktree Drive, inquired about the no parking sign on his property. It has been moved once already and not happy about it. It was explained to him that every development needs a sign in it. The Mayor informed him the sign can't be placed on the corner because DOT rules. Trustee Newman is looking into finding a smaller no outlet sign and hopes to move it back by the mailbox. Also wanted to know if there was anything we can do about the rumble strips outside of his home on Rte. 111. The noise is really loud when trucks and cars run over them. Trustee Donnelly mentioned since it is a State Road that we might be able to get a traffic calming device.

At this time, the meeting closed to the public.

### **Attorney's Report**

Attorney Ring reported that:

- FES agreement side letter, is worked out, just need Mayor to sign it.
- Sonnenberg snow and drainage contracts are renewed.
- Brothers Waste contract is ready for Mayors signature.
- Justice Court – 2 fines were for no shows, 1 trial had full face fine and 2 paid reduced fines.
- Presented no conflict of interest letter for Smithtown Fire District.
- Opened Sweep Bid, Alex Sonnenberg was only bid received and he only gave per hour/shift quote. Mayor Delaney is concerned about having all Village contracts under one contractor. Attorney Ring reminded the Board that we reserve the right to withdraw the bid and put out again in Newsday.

### **Trustee Donnelly's Report**

Trustee Donnelly reported that:

- Sweep Bid – Just opened it.
- Leaf & Brush and snow contracts are done.
- Dogwood waiting for 10/17 start date.

### **Trustee Botto's Report**

Trustee Botto not present to report.

### **Trustee Newman's Report**

Trustee Newman reported that:

- Working with Attorney Ring on the language for penalty for fees.
- Pearlman's landscaping bill should be done all under one bill instead of separate summons.
- Working on language for Parking Commercial vehicles.
- Sandwich Boards still working on putting together, also wants to note needs building inspector approval.

### **Mayor Delaney's Report**

Mayor Delaney reported that:

- 2 special Use permits need to vote on:  
SHS – 11/26/16 Holiday Craft Fair (wants Clerk to email Marianne at SHS to see if there will be amplified music)  
St. Patrick's Church Restaurant Showcase – 10/15/16 Both SUP were denied based on the fact they did not hand them in with 90 day notice.

Trustee Newman made a **motion** for a public hearing in November to advertise the changes to the Historic District Code . Trustee Donnelly seconded the motion, which was approved unanimously.

At this time mayor Delaney read the Bond Resolution to do improvements to Village Hall:

BOND RESOLUTION OF THE VILLAGE OF THE BRANCH,  
NEW YORK, ADOPTED OCTOBER 11, 2016, AUTHORIZING  
THE CONSTRUCTION OF IMPROVEMENTS TO VILLAGE  
HALL, STATING THE ESTIMATED MAXIMUM COST  
THEREOF IS \$200,000, APPROPRIATING SAID AMOUNT  
FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE  
OF BONDS IN THE PRINCIPAL AMOUNT OF \$200,000 TO  
FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF THE BRANCH, IN THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of The Branch, in the County of Suffolk, New York (herein called the “Village”), is hereby authorized to construct improvements to Village Hall. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$200,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds of the Village in the principal amount of \$200,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$200,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized is in excess of five years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are

authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in “*The Smithtown News*,” a newspaper having a general circulation in the Village and hereby designated the official newspaper of said Village for such publication.

Trustee Donnelly made a **motion** for the adoption of bond resolution of \$200,000 for the renovation of Village Hall. Trustee Buonaiuto seconded the motion, which was approved unanimously.

#### **Trustee Buonaiuto’s Report**

Trustee Buonaiuto reported that:

- Branch day burner still out.
- Birchbrook 20-22 fixed
- Pole down on Fir Lane – just reported.
- Proud FES contract
- Has moved to St. James and no longer a resident in Village of The Branch, so I must resign effective immediately.

Trustee Donnelly made a **motion** to close the meeting. Trustee Newman seconded the motion, which was approved unanimously. The meeting was adjourned at 9:47 pm.

Respectfully submitted,  
Christine Cozine  
Village Clerk