

Village of The Branch – Board of Trustees Meeting  
July 14, 2015

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 July 14, 2015. Mayor Delaney, Trustees Donnelly, Buonaiuto, Spica and Newman, Building Inspector Jerry Harris, Attorney Christopher Ring, Treasurer Theresa Mequia and Village Clerk Cozine were present.

Mayor Delaney called the meeting to order and lead those present in the Pledge of Allegiance at 7:35pm.

Mayor Delaney switched the order of business to address the three resolutions that needed to be addressed.

Resolution #1 for MM4 project was needed to complete the application process was read by Mayor Delaney as Follows:

WHEREAS, a Project for the Reconstruction of Mt. Pleasant Rd. from Woodhollow Rd. to 225 ft. south of Clearbrook Dr., P.I.N. OMS553.30A (the “Project”) is eligible for funding [Under Title 23 U.S. Code, as amended, and] New York State ‘s Multi-Modal Program administered by the NYS Department of Transportation (“NYSDOT”); and

WHEREAS, the Village of The Branch desires to advance the Project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project; and

NOW, THEREFORE, the Village of The Branch Trustees Board, duly convened does hereby

RESOLVE, that the Village of The Branch Trustees Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Village of The Branch Trustees Board hereby authorizes the Treasurer of the Village of The Branch to pay in the first instance 100% of the federal and non-federal share of the cost of the work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$258,000.00 is hereby appropriated from the General Account and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Village of The Branch Board of Trustees shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Treasurer thereof; and it is further

RESOLVED, that the Mayor of the Village of The Branch be and hereby is authorized to execute all necessary Agreements, certifications, or reimbursement requests for Federal Aid and/or Multi-Modal Program Funding on behalf of the Village of The Branch with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of project costs and permanent funding of the local share of federal-aid and all Project costs that are not so eligible; and it is further

RESOLVED, that a Certified Copy of this Resolution is to be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, that this Resolution shall take effect immediately.

Trustee Buonaiuto made a **motion** to accept Resolution #1. Trustee Donnelly seconded the motion. All approved unanimously.

Resolution #2 for grant approval of Recreational Trails Program was read by Mayor Delaney as Follows:

RESOLVED:

That Mark Delaney, as Mayor of Village of the Branch, is hereby authorized and directed to accept funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of the Recreational Trails Program, in an amount not to exceed 80% of the total project costs, up to a maximum grant award of \$200,000, and enter into and execute a project agreement with the State for such financial assistance to this Village of the Branch for Greenbelt Trailhead Improvements at old Route 111, and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

FURTHER RESOLVED:

That the Village of the Branch will provide cash match toward the project in the amount of 20% of the total project costs.

Trustee Buonaiuto made a **motion** to accept Resolution #2. Trustee Donnelly seconded the motion. All approved unanimously.

Resolution #3 for Impact Assessment on the recreation Trails Program was read by Mayor Delaney as Follows:

WHEREAS, the Village of The Branch wishes to apply for a grant under the 2015 Recreational Trails Program, and

WHEREAS, the grant program process requires compliance with the State Environmental Quality Review Act (SEQRA), and

WHEREAS, Part 1 of the attached short environmental assessment form (SEAF) has been prepared and reviewed by the Board of Trustees of the Village of The Branch

Therefore be it RESOLVED, that the Village of The Branch is Lead Agency for the project and be it further resolved that the Board of Trustees has determined the project will not have a significant effect on the environment and that the Board of Trustees adopts a negative declaration

Be it further RESOLVED, that the Board of Trustees authorizes the Mayor to sign Part 3 of the attached short environmental assessment form (SEAF)

Trustee Donnelly made a **motion** to accept Resolution #3. Trustee Newman seconded the motion. All approved unanimously.

Trustee Donnelly made a **motion** to accept the minutes of the June Board of Trustees minutes. Trustee Buonaiuto seconded the motion. All was approved unanimously.

Mayor Delaney made a **motion** to accept the minutes of the July work session. Trustee Spica seconded the motion. All approved unanimously.

### **Treasurer's Report**

Treasure Mequia distributed her reports.

- Had 35 delinquent tax notices go out, and 3 came in today. The number is average compared to last year.
- 9 people came in person to pay their tax bills on July 1, 2015.
- For September work session Mark proposed to look at the Financials having year to year comparisons. Wants to manipulate the data so it's easier to read.
- Uncle Giuseppe's needs to pay their sign permit before we entertain issuing another sidewalk permit.

Trustee Buonaiuto made a **motion** to accept the Treasurer's Report as submitted and direct the Treasurer to pay all the bills on Abstract # 2102 totaling \$24,069.81. Trustee Newman seconded the motion which was approved unanimously.

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

Building Inspector Harris distributed his report.

- 6 CO's were issued, 3 permits issued and 0 Sign permits.
- 5 Notice of Violations were issued. 1 Dogwood Drive for weeds, 2 Carriage House and Fasco paving for runoff , sand and gravel, 270 N Country Road and 6 Birch Brook for lawn and weeds.
- 1 Oaktree requested large tree removal at 111. The tree is 90% on home owner's property, so the removal will be their expense, not ours.
- Trustee Donnelly wants to look into plantings in the right of way, we need to amend it in the code. Ex: no trees, shrubs OK.
- Trustee Donnelly has issues with 2 Carriage House since issue was first reported on June 3. Problem is since there is no permit required to do pavers/driveways, we can't issue a stop order. If we keep cleaning up, we won't be able to recover the cost. Inspector Harris made 2 calls to Fasco with no return calls. On June 15 issued a NOV and June 30 a summons was issued.
- Mayor Delaney suggested to get in touch with Dan Falasco to let him know about the environmental concerns and to get in touch with the DEC.
- Jeremy from Acadia Realty was supposed to be at the meeting tonight, but didn't show up. He was to discuss the snow removal equipment. Trustee Newman wants to have a meeting with Jeremy next week.
- Trustee Newman spoke about recouping the cost of \$400 from the eviction. Inspector Harris said he would issue a summons to 11 Cambridge.
- Inspector Harris also spoke with the Director of the Group Home on 2 Dogwood and will speak with the guy who brings in the garbage pails. He would like John Carro to appear in Court.
- Mayor Delaney also spoke to the Director of the Head Injury place on Cresthill, they are slaking again.

### **Attorney's Report**

Attorney Ring reported that:

- Still waiting for the Attorney from Manhattan to sign a Stipulation of \_\_\_\_\_ from the 90 Day Notice we received regarding the car accident that happened on Lawrence Avenue.
- Attorney from Sunrise is willing to either fix the curb to make it handicap accessible or fix the triangle piece. We need to decide which we want because Attorney Ring needs to call back tomorrow. Trustee Newman still has concerns about the trip/fall on the sidewalks.
- Still in touch with Trotta's office regarding the bamboo situation at 63/65 Birchbrook.
- Attorney Ring spoke to the Mt. Pleasant pothole lady after playing phone tag.
- Welsbach contract expires in September so we need to advertise and get specs together.
- Justice Court – very light ..... Handicapped ticket dismissed, overnight parking ticket \$35, iCloud was a no show. Due in court again on 27<sup>th</sup> of July. Now fine should be 3x the dollar amount.

Trustee Donnelly made a **motion** to send Brothers bid to Attorney Ring to prepare contract. Trustee Newman seconded the motion. All approved unanimously.

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

Trustee Donnelly reported that:

- Pothole work is ongoing.

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

Trustee Newman reported that:

- Ace Hardware was given a written and verbal warning from Angus (Public Safety) regarding storing stuff behind the store. Trustee Newman called back Leslie Kennedy's office to explain to her our law that refrains from storing things outside. Her office was receiving complaints about it. Trustee Newman thinks we should write them a letter to explain the situation since they are always changing management. He also thinks we should send one to Leslie Pools as well, since they sometimes store things outside.

### **Trustee Spica's Report**

Trustee Spica reported that she has reached out to Mark Mancini's office twice with no response back.

### **Trustee Buonaiuto's Report**

Trustee Buonaiuto reported that:

- Lights at Berkley fixed.
- Ingram Court screws that were loose were fixed.
- Tree limbs have been trimmed by Stop signs. Trustee Newman thinks that this should be included in the contract we have with Alex. Mayor Delaney said he is looking into that.
- Trustee Buonaiuto asked the Clerk to look into the cost of advertising in Newsday for Electric Contract.
- Trustee Buonaiuto is also looking into the costs of PSEGLI.

**Mayor Delaney's Report**

Mayor Delaney reported that:

- There are two Board positions possibly being filled. Dennis Ryan for Planning Board and someone for Board of Zoning Appeals, not sure of the name yet.
- Grant application for Vacuum Truck has been submitted. We will be sharing it with the Town of Smithtown; however, it will be maintained by Smithtown and housed by Smithtown. VOB will get 6-8 days per month of exclusive usage.
- Mayor Delaney proposed the following fee increases as follows:

***Building & Zoning Residential***

Additions & Alteration	\$.85 sq/ft min \$400.00 from min \$300.00
Plumbing & Heating	\$350.00 from \$300
Swimming Pools	\$350.00 from \$250
Electrical	\$250.00 from \$150
C/O or C/C	\$150.00 from \$100

***Building & Zoning Commercial***

Construction& Additions	\$1.00sq/ft min \$1,000.00 from min \$600.00
Demolition	\$.30sq/ft min \$1,000.00 from min \$400.00
C/O or C/C	\$200.00 from \$100

***Planning Board:***

Site Plan Review:	\$750.00 per review from \$500
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***Board of Zoning Appeals:***

Application fee	\$350.00 from \$100
Application to BOT for Change of Zone	\$1,000.00 from \$500
Application to BOT for Special Use Permit or Use Variance	\$500.00 from \$250

Trustee Spica made a **motion** to pass the fees increase. Trustee Buonaiuto seconded the motion, which was approved unanimously.

Trustee Donnelly made a **motion** to close the meeting. Trustee Buonaiuto seconded the motion, which was approved unanimously. The meeting was adjourned at 9:20 pm.

Respectfully submitted,

Christine Cozine  
Village Clerk