

Village of The Branch – Board of Trustees Meeting
February 9, 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 February 9, 2016. Mayor Delaney, Trustees Spica, Buonaiuto, Donnelly and Newman, Attorney Christopher Ring, Treasurer Mequia, and Village Clerk Cozine were present.

Mayor Delaney called the meeting to order and lead those present in the Pledge of Allegiance at 7:34pm.

Trustee Spica made a **motion** to open a Public Hearing at the meeting for the purpose of enacting a local law allowing the Village to exceed the 2% Tax Cap. Trustee Donnelly seconded the motion. All approved unanimously.

The first order of business was a Public Hearing on Local Law #1 of 2016 – A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c. Topics included the current tax rate, the cost of snow removal so far this year and fiscal responsibility of the Board.

Trustee Buonaiuto made a **motion** to close the Public Hearing. Trustee Newman seconded the motion, which was approved unanimously.

Trustee Buonaiuto made a **motion** to adopt Local Law #1 of 2016 – A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c as presented. Trustee Spica seconded the motion, which was approved unanimously.

Trustee Spica made a **motion** to accept the minutes of the January Board of Trustees meeting with corrections noted on the wording of “pierce the tax cap” by Clerk Cozine . Trustee Buonaiuto seconded the motion. All approved unanimously.

Trustee Newman made a **motion** to accept the minutes of the January work session meeting. Trustee Spica seconded the motion. All approved unanimously.

Treasurer’s Report

Treasurer Mequia distributed her reports and reported that:

- 2 Oaktree closing this week, so tax payment should be received soon.

Trustee Donnelly made a **motion** to accept the Treasurer’s Report as submitted and direct the Treasurer to pay all the bills on Abstract # 2109 totaling \$243,978.18. Trustee Newman seconded the motion which was approved unanimously.

Building Inspector’s Report

Building Inspector Harris distributed his report.

- 1 Sign permit issued to Mr. Tabacco.

- 1 Notice of Violations was issued for Mathnasium 140 E. Main sign.
- 4 Permits & 2 CO's.
- Argipito sold house.
- Diner cleared sidewalk, bus stop side dealing with the State.
- Fir Lane commercial vehicle
- Court no show – RD Branch Associates & Mathnasium

Attorney's Report

Attorney Ring reported that:

- Acadia – no penalty portion on the ticket.
- New energy contract with FES Energy; still waiting, but end seems near.
- Code Review – verbiage for Penalties for offenses reads as follows:
- Any person, firm or corporation violating any of the provisions of this chapter or section shall, upon conviction thereof, be subject to a fine not exceeding the sum of \$750.00 for any offense, and each day that a violation continues shall be deemed to constitute a separate offense.
- Trying to be compliant not punitive.
- General Code made suggestions for the number of non-related persons living in a home.

At this time Mayor Delaney opened up the floor for the Public to speak. First resident to speak was Susan Grimm at 1 Judges Lane. She is concerned about the property at 6 Judges Lane. Back in 2006 the Planning Board left guidelines for Mr. Dicanio to follow. He cleared a house and made a big gaping hole; so Planning Board made DiCanio fill in the hole. Then garbage began to be dumped and the area is a mess and looks abandoned. Planning Board gets involved again and DiCanio got fined. Present day he comes in with big equipment and now wants to build a spec house. Still no bond yet and doesn't have proper permits in place to do work. The fence he put up isn't to Code and is concerned he is going to leave if half done since it is his M.O. Mayor Delaney stated that as long as he adheres to code there isn't too much we can do. He advised her to call Building Inspector and check to see all proper building permit paperwork is in order.

Next resident to speak is Glen Haberfield of 3 Village Way. He doesn't know enough about the grant monies received to fix the NE Branch, wants to know what the plans are? Mayor Delaney explained what is going on. First there will dredging of the stream (phase IV or V) south of 347 up to Ronkonkoma, houses that were having basements fill up with water. Getting rid of silt and will dredge and cart away this summer. Second project is to refurbish old route 111. We know 2 Eagle Scout projects have already been trashed and the walking path and bridge are in bad shape. New York State owns the property, but the Village, is responsible to "maintain property", so State is going to transfer ownership back to us. We will repave the bike path with a white line. We will install lighting, going to use new technology so the light only shines one way. Glen inquired is it a Greenbelt project? Or is it Rte. 111 project? Also wanted to know who will be monitoring it? Since we have limited resources, why do you want more people back there? Mayor Delaney replied that there are 3 stakeholders –Village of The Branch, County of Suffolk and Greenbelt Assoc. We can't touch the greenbelt trail with this project. He also noted that neighbors are using this area to dump tree work onto. Mike Donnelly also added that we are required by our insurance company to maintain this property area. Mr. Haberfield then asked if a path could be put behind the guardrail and make a new separate path. Or possibly clear away the brush/foliage and keep it a more wide open space to prevent vandals and wrong people from congregating.

Trustee Donnelly's Report

Trustee Donnelly reported that:

- Plowing – had one special request and one complaint.
- Christmas tree pickup- few houses were not picked up.
- Leaf/Brush pickup dates are as follows: The weeks of April 25, May 30, and June 27.
- Sweeping dates are as follows: Week of April 11, May 2, and August 15.

Trustee Spica's Report

Trustee Spica had no report

Trustee Newman's Report

Trustee Newman reported that:

- Suggests we put a moratorium on commercial solar power, so we can get a code in order. Would be a good topic for a work session. Need to advertise and have a public hearing.
- Made sure everybody got copies of overnight parking tickets.

Trustee Buonaiuto's Report

Trustee Buonaiuto reported that:

- All of the following street light outages have been fixed -Dogwood, Perdue, Rice and Spruce Court.
- 21 Hemlock reported flickering light.

Mayor Delaney's Report

Mayor Delaney reported that:

- Website project – Tom and Lisa like scenario #1.
- Acadia is in the Court system, how do we handle the penalty for Court?
- Need a license plate to park in any spot in the Village. Acadia has 5 vehicles total.
- According to Attorney Ring Code 81-55 states “no unregistered vehicles parked on any village property.”
- Wants Jerry/Joe to fine Acadia for unregistered vehicles.
- Wants 1 site plan for both 50 & 40 Rte.111 showing plantings.

Trustee Buonaiuto made a **motion** to advertise for a Public Hearing in March to raise the fines from \$35 to \$100 for the following violations on Village of The Branch Parking Summons- “No Parking”, “Overtime Parking” and “Improper Parking Commercial Area”. Trustee Spica seconded the motion, which was approved unanimously.

Trustee Buonaiuto made a **motion** to close the meeting. Trustee Newman seconded the motion, which was approved unanimously. The meeting was adjourned at 9:17 pm.

Respectfully submitted,

Christine Cozine
Village Clerk