

Village of The Branch – Board of Trustees Meeting
June 13, 2017

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 June 13, 2017. Mayor Delaney, Trustees Botto, Carro and Newman, Attorney Christopher Ring, Treasurer Mequia, Building Inspector Jerry Harris and Village Clerk Cozine were present.

Mayor Delaney called the meeting to order and lead those present in the Pledge of Allegiance at 7:33 pm.

Trustee Newman made a **motion** to accept the minutes of the May Board of Trustee's meeting. Trustee Carro seconded the motion. All was approved unanimously.

Trustee Botto made a **motion** to accept the minutes of the June Board of Trustee's work session meeting. Trustee Carro seconded the motion. All was approved unanimously.

Treasurer's Report

Treasurer Mequia distributed her reports and reported that:

- Property tax income has been nice and steady; taxes are due July 3rd this year due to July 1 falling on a Saturday.
- Sign permits also coming in steady.

Trustee Carro made a **motion** to accept the Treasurer's Report as submitted and direct the Treasurer to pay all the bills on Abstract # 2125 totaling \$49,667.18. Trustee Botto seconded the motion which was approved unanimously.

Building Inspector's Report

Building Inspector Harris reported that:

- 9 permits issued; 2 C/O's; 1 sign permit
- 5 NOV's- 2 Rice Ln parking commercial vehicle; 270N Country Rd property maintenance for weeds; Singer Lane property maintenance; 105 Lawrence unregistered car; 8 Berkley commercial vehicle
- 1 summons; 52 E Main Street Sidewalk Sales Ace Hardware
- Uncle G's compactor is fixed
- Received a call from someone interested in using Dairy Barn property for a car wash. Told them to bring in site plan for Board.
- Mayor Delany inquired about any issues with new bagel store in Uncle G's shopping center.
- No update with Smithtown Historical Society and the Board Of Health; Dan Falasco looking into BOH.
- Trustee Carro asked about 270 N Country Rd, there is still trash there, wants it cleaned up

At this time the meeting was opened to the Public:

Adam Manitt – Head of Sustainability at Molloy College; talked about clean energy communities program. Offered technical support to help municipality facilitate them and will

provide us with sample language for legislation and told us we are obligated to post it on our website.

Attorney's Report

Attorney Ring reported that:

- Sent letter out to Nextdoor.com.
- Received project plan from FES; we will get 4 bulbs, so thinking one in each development to test them out.
- Credit card agreement contract looked them over. Just have to advertise the logos from the credit card and disclose the added fees to do the transactions. Only issue had to do with "section 7" and 30 day notice.....John Carro will check with other villages that have this contract.
- Justice Court was very light. 1 adjournment, 1 default judgement, 2 dismissals and received the eviction check from 11 Cambridge today.
- Spoke with Planning Board Chairman about Acadia site plan

Trustee Carro made a **motion** to accept proposal from Government Services Inc. to enter into contract for 3 year service pending review by neighboring communities and legal to accept any payment approval. Trustee Newman seconded the motion. All was approved unanimously.

Trustee Carro's Report

Trustee Carro reported that:

- Met David Flynn & Allison Murray from Smithtown Planning Board about downtown revitalization project; Village will co-sponsor the grant (doesn't cost us anything.) Promised to be more involved with the Smithtown Planning Board.

Trustee Botto's Report

Trustee Botto reported that:

- Met with architect, still tweaking the drawings.

SHS Special Use Permit Applications:

8/6/17 Antique Car Show conditional approval Affair \$75 fee

Mayor Delaney made a **motion** to approve special use permit for antique car show pending additional insured paperwork handed in with application. Trustee Carro seconded it. All in favor, approved unanimously.

Trustee Newman's Report

Trustee Newman reported that:

- Seeing regular cadence for overnight parking
- Wanted to make sure we are keeping track of all the people who never pay their sign permits.
- Multi-family rentals on Birchbrook; opened up file with Public Safety. Need to get process in place to try to get to bottom of it. Need to get new language in the Code regarding this.

Trustee Albrecht's Report

Trustee Albrecht was not here to report

Mayor Delaney's Report

Mayor Delaney reported that:

- Wrote 2 letters this week; 1 to Steve Bellone regarding the NE Branch and other to Joe Brown NYS DOT regarding Route 111 guardrail.
- Wants to wait until we hear back from Bellone's and Brown's office before post letter and put on website.
- Mayor Delaney read local law #2 of 2017 which is as follows:

Local Law No. 2 of the Year 2017

Village of The Branch, County of Suffolk

LOCAL LAW #2 TO REPEAL LOCAL LAW NUMBER # 1 OF 2017 -- TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c

Be it enacted by the Village of The Branch as follows:

SECTION 1: LEGISLATIVE INTENT: This Local Law shall be known as "Local Law Number 2 of 2017". It is the intent of this Local Law to repeal Local Law Number 1 of 2017, and to thus reinstate the limits on the amount of real property taxes that may be levied by the Village of The Branch pursuant to General Municipal Law §3-c.

SECTION 2: EFFECT: This Local Law hereby thus repeals in its entirety said Local Law Number 1 of 2017, and declares the same of no force or effect, and thus the Village of The Branch repeals the prior tax cap override local law of the Village of The Branch and reinstates the tax levy limits imposed by General Municipal Law §3-c.

SECTION 3: SEVERABILITY: If any portion this Local Law, or the application thereof to any person, entity, or circumstance, shall be determined by any court or tribunal of competent jurisdiction to be invalid or unenforceable, such determination shall be confined in its operation to the invalid part hereof, or in its application to such person, entity, or circumstance as is directly involved in the controversy in which such determination shall have been rendered, and the remainder of this Local Law shall not be impaired thereby and such determination shall not be deemed or construed to apply to other persons, entities, or circumstances.

SECTION 4: EFFECTIVE DATE: This Local Law shall take effect immediately.

Trustee Newman made a **motion** to amend local law #1 with local law #2 because we didn't go over the tax cap. Trustee Botto seconded the motion, which was approved unanimously.

Trustee Newman made a **motion** to go into executive session at 8:40 pm to discuss potential litigation. Trustee Carro seconded the motion, which was approved unanimously.

Trustee Newman made a **motion** to end executive session at 9:24 pm. Trustee Botto seconded the motion, which was approved unanimously.

Trustee Newman made a **motion** to close the meeting. Trustee Botto seconded the motion, which was approved unanimously. The meeting was adjourned at 9:25 pm.

Respectfully submitted,
Christine Cozine
Village Clerk