

Village of The Branch – Board of Trustees Meeting  
February 13, 2018

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 13, 2018. Mayor Delaney, Trustees Botto, Carro and Newman, Attorney Christopher Ring, Treasurer Teri Mequia, Building Inspector Joe Arico 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 Carro made a **motion** to accept the Board of Trustee’s January minutes. Trustee Botto seconded the motion, which was approved unanimously.

Trustee Newman made a **motion** to accept the Board of Trustee’s February work session minutes. Trustee Botto seconded the motion, which was approved unanimously. Trustee Carro abstained.

Trustee Carro made a **motion** to open Public Hearing for Local Law#1. Trustee Botto seconded the motion, which was approved unanimously.

At this time Mayor Delaney read Local Law#1:

Local Law No. 1 of the year 2018

Village of The Branch, County of Suffolk

**A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c**

**Section 1. Legislative Intent**

It is the intent of this local law to allow the Village of The Branch to adopt a budget for the fiscal year commencing June 1<sup>st</sup>, 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

**Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

**Section 3. Tax Levy Limit Override**

The City Council/Board of Trustees of the Village of The Branch, County of Suffolk, is hereby authorized to adopt a budget for the fiscal year commencing June 1<sup>st</sup>, 2018 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

### **Section 5. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.

Trustee Carro made a **motion** to approve Local Law#1. Trustee Botto seconded the motion, which was approved unanimously.

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

### **Treasurer's Report**

Treasurer Mequia distributed her reports and reported that:

- Received the Mortgage Tax check for approximately \$13,000 and deposited it on February 8, 2018.
- Auditors are assembling their reports.
- Now can start working on the budget.
- Joe Arico has outstanding sign permits and needs to issue summonses for them.
- We are slightly over what was budgeted for building permits, so that is good news.
- Will get delinquent tax offenders together for Attorney Ring, so he can send out letters.

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

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

Building Inspector Arico reported that:

- After receiving a complaint by a resident, Inspector Arico went to 9 Branch Drive and the doors and windows were locked and no sign of rodents. Mayor Delaney was concerned about possible mold issues. The Inspector also noted there was not a lot of structural damage, so it is a secure building.
- Capital One is doing a major renovation to their space.
- Daniel Gale Real Estate is moving into the Uncle Giuseppe's shopping center
- Met with Greg Anderson, the Smithtown Fire Marshall to discuss open items.
- Builder Vincent DiCanio came in with changes to 2 houses on Judges Lane as well as changes to the commercial building on E Main Street.
- Issued 4 permits and 2 CO's

- Bagel store doesn't have their CO yet, need underwriter paperwork. The Inspector already issued them a notice of violation for the red lights around the windows. The Mayor asked him to issue a summons since they are still lit up. Inspector Arico also told the bagel store owner to go to the BZA for relief for the lighting issue. Mayor also mentioned that you can't give them a CO when they are in violation of the lighting issue.
- Dropped off the Village Hall plans to the architect.

At this time the meeting was opened to the Public:

Frank Ciofrone – Carriage House Road. Is a Smithtown resident for 36 years, but only a Village resident for the past 4. Feels landscaping is lacking and non-existent at the entrance of Carriage House. Polled all 39 residents in the area and 28 of them are willing to donate money to help beautify the area. Asking if it is ok replant in that area? Will contact Sonnenberg Nursery and get 2 more estimates. The only problem the Board saw with the plan is the irrigation and he agreed and is looking into that. Wanted to know if it was possible to tap into the main water line through SCWA? Or perhaps a neighbor could help with water issue? The Board also concerned if Alex will charge us more to maintain that area now. Mr. Ciofrone also wanted to mention that Sonnenberg does an excellent job of snow plowing the Village roads.

Pryia Kapor – Interim Executive Director of Smithtown Historical Society, wanted to introduce herself and make the relationship better between Village and SHS. Mayor Delaney mentioned he views the SHS as a valuable resource to the Village and there is a small issue in front of us right now that we can't discuss now since it's a legal issue. One area that can be improved on is the renting of the Brush Barn. Ms. Kapor mentioned that the SHS is in a position right now where they are trying to survive. They have taken down the flag that we requested, but the reason they had it up was to increase their visibility because it is a big complaint from some of their members. She said SHS is ready to work with the Board. Trustee Botto said the key thing is to always keep the lines of communication open. Trustee Newman also wanted Ms. Kapor to make sure the A/C is working because that was an issue when the weather was warm. Ms. Kapor assured us that Victoria, the office manager, makes sure she tells all renters that the doors are to remain closed and they are to stay inside to avoid the pitfalls of the past. SHS has actually put a line into their contract with renters that if they get fined they will pass along the fines to the renter.

Libby Smith – Judges Lane resident and Chairman of Planning Board. Ms. Smith said it is our job as a Village to maintain the Historic District. Wants to know if there is anything we can do that would acknowledge the Historic District and the value of the houses? Maybe we could put something on the website? People are buying houses and don't realize the importance and/or requirements these houses need. Ms. Smith is willing to work on it and go to Chris Damianos and Peter Stein and speak with them. Perhaps a Garden Club and have a contest of window boxes and award a plaque to the winner. She will also look into a grant for a sidewalk on Middle Country Road.

At this time the Board went over the Special Use Permits:

Mayor Delaney made a **motion** to approve the rehearsal dinner on May 26<sup>th</sup> 2018 as an affair \$75 fee. Trustee Newman seconded the motion, which was approved unanimously.

At this time the meeting was closed to the public.

### **Attorney's Report**

Attorney Ring reported that:

- Asked where Village was regarding the roof bid?
- Local Law #1 done tonight.
- Called NYCOM for guidance on cell phone towers and repeaters and they didn't have any. Found language from another Village that probably suits our needs. Please give feedback after you read it. Village of GC had outside attorney write up this legislation, it deals with moratoriums and repeaters and cell towers. It is very comprehensive.
- Trustee Newman is working on short term rental. We will create our own code from all other ones that suits our needs.
- We have a penalty provision that can stand on its own.
- Sent a letter to resident of 9 Branch Drive for potential property maintenance violation. They have 15 days to remedy.

### **Trustee Carro's Report**

Trustee Carro reported that:

- LED lights are coming, its weather permitting.
- Dogwood sump was never cleaned up this year. The grates are very narrow where the new drains were put in. Now this is causing major flooding in that area.
- He also said Engineer Dan Falasco mentioned town of Smithtown will take care of the leaves blocking the grates on drain.

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

- 2 Oak Tree Drive Group Home, looked at the plans and wanted to get 2 more feet taken off the apron portion of the driveway. (18 feet to 16 feet) Also wants more trees/shrubs for screening. 6 feet Evergreen to 8 feet Evergreen.

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

Trustee Botto reported that:

- Building Inspector Arico and I met and went over Village Hall plans and will put out to bid ASAP.
- Also need to go over roof bid results with the Inspector.

### **Trustee Albrecht's Report**

Trustee Albrecht was not present to report

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

Mayor Delaney reported that:

- Leaf and Brush Dates discussed.
- Asked Clerk to call our contact who installed the video camera to get it fixed.
- Need to reschedule the March 6 work session.

Trustee Botto made a **motion** to close the meeting. Trustee Carro seconded the motion, which was approved unanimously. The meeting was adjourned at 9:07 pm.

Respectfully submitted,  
Christine Cozine  
Village Clerk