

Village of The Branch – Board of Trustees Meeting  
May 8, 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 May 8, 2018. Mayor Delaney, Trustees Botto, Albrecht, 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 7:40 pm.

Trustee Botto made a **motion** to accept the Board of Trustee's April minutes making note to Clerk Cozine to change the town from Garden City to Huntington as the sample town for Local Law for short term rentals. Trustee Carro seconded the motion, which was approved unanimously.

Trustee Carro made a **motion** to accept the Board of Trustee's May work session minutes. Trustee Newman seconded the motion, which was approved unanimously.

Trustee Carro made a **motion** to open Public Hearing for short term rentals. Trustee Botto seconded the motion, which was approved unanimously.

Discussion ensued that we do not have multi-family homes or apartments, only single family homes. It was noted to have the forms handed into the Clerk's office. This new code will deal with renting homes for 30 days or less. An application will be needed to do so. There can only do a quota of 120 days. Must have parking on the grounds. Must be owner occupied. There can be no kitchen in bedrooms. Bedrooms must be at least 70 square feet. No signage allowed. Not allowed to rent more than two bedrooms in a dwelling. There are no parties allowed between 10 pm and 8 am. Permits will be valid for 1 year and can be renewed every year.

Mayor Delaney made a **motion** to approve Local Law#3 amended Chapter 63.1 on property rentals. Trustee Botto seconded the motion, which was approved unanimously.

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

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

Discussion ensued this section of the Code will deal with cell phone antennas and repeaters. It also deals with heights of them and the whys, and needs for these in the Village. Also need to take in consideration what is around it to power it. Some exclusion is if it is a government facility.

Trustee Carro made a **motion** to approve Local Law#4 amended Chapter 78.1 on Telecommunications as presented. Trustee Botto seconded the motion, which was approved unanimously.

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

Resolution 05-08-2018 was read into record by Mayor Delaney regarding Court audit ending May 31, 2017.

Mayor Delaney also read into record two letters from Justices Murphy and Schwartz regarding their status as Justices for Village of The Branch. It is a new requirement from the State of New York.

Trustee Botto made a **motion** to accept the Court audit for May 31, 2017. Trustee Carro seconded the motion, which was approved unanimously.

Mayor Delaney then proceeded to read Local Law #2 to repeal the tax cap override.

Trustee Botto made a **motion** to accept Local Law #2. Trustee Carro seconded the motion, which was approved unanimously.

### Special Use Permits

Trustee Carro made a **motion** to approve Smithtown United Methodist Church Plant Sale special use permit from May 12-13 as an affair for \$75 fee. Trustee Botto seconded the motion, which was approved unanimously.

Trustee Carro made a **motion** to approve Smithtown Historical Society special use permit for an affair for \$75 fee with the condition of providing additional insured information. Trustee Newman seconded the motion, which was approved unanimously.

Trustee Carro made a **motion** to extend 1 year of the landscape contract to Sonnenbeg Nursery. Trustee Newman seconded the motion, which was approved unanimously.

### Treasurer's Report

Treasurer Mequia distributed her reports and reported that:

- Received the Audit Report which has a different format than previous years. (issued on a cash basis) What actually gets reported to the State is accrual basis.
- Busy month.
- Treasurer has been given a list of possible firms to switch over to accrual basis financial statements. Doesn't think it's worth it since the Village does not have many high end assets.
- Looked into charitable contributions gifts reserve fund and property tax credit program. This is optional, not required. The IRS has not issued an opinion on this yet.
- Went over delinquent taxes (9 Branch Drive – also has high front lawn; will have Building Inspector Arico check it out and talk to Public Safety Karen Silvestri.)
- Tax Cap form was filed.

At this time Building Inspector Arico arrived at 8:14 pm.

Mayor Delaney made a **motion** to accept the Treasurer's Report as submitted and direct the Treasurer to pay all the bills on Abstract #2136 totaling \$22,877.27. Trustee Carro seconded the motion which was approved unanimously.

Mayor Delaney made a **motion** to accept the Village's Auditor report Fiscal Year End 2017. Trustee Botto seconded the motion which was approved unanimously.

Attorney Ring will look into possibly putting a public notice into the paper for public viewing.

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

Building Inspector Arico reported that:

- Issued NOV to Ace Hardware
- Went to Primal Organics.
- Daniel Gale had a problem with underwrites certificate to get the CO.
- Engineer Falasco received plans from Fusion architects for the Group home; still haven't issued CO yet.

### **Attorney's Report**

Attorney Ring reported that:

- Snow contract expires September 2018 with a 1 year extension.
- Drainage contract expires September of 2018.
- Street sweeping contractual obligation is no longer, sent a letter we were not renewing contract.
- Smithtown Historical Society lawsuit set for May 17<sup>th</sup> at 9:30 am; need to be in Court with Treasurer and Clerk and someone from BOT.
- Drafted short term rental and telecommunications codes.
- Repealed tax cap with Local Law #2.
- Trustee Carro asked Attorney Ring to look into the newly passed vape law by Town of Smithtown.
- Renewed bond anticipation note.
- Justice Court – had 20 cases; 15 guilty with reduced fines, 2 adjourned, 3 dismissed.

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

Trustee Carro reported that:

- Changing the lights North to South. Starting on Dogwood tomorrow.

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

- Gave the Clerk a "NO PARKING" letter to put on cars that are parking for the Nursing Home.
- Will be ordering badges for the Trustees.

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

Trustee Botto reported that:

- New roof renovation almost done, still needs to do soffits.
- Going to work on plans for Village Hall. Will use Historic District colors by choosing white siding instead of the current tan color.

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

Trustee Albrecht reported that:

- Street sweeping done on Saturday by the Town, did a nice job. Cost will be a little extra because they worked one hour of overtime.
- Oaktree inside the gate of the sump there is a sink hole. Wants to know what the Board wants to do? Needs a pipe from the street to the sump. Trustee Botto suggested having Alex Sonnenberg give us a price (exploratory estimate.)
- Sink hole on 10 Daisy was repaired.
- 37 Branchbrook fixed driveway by curb.
- Dead branches by stream we will leave alone.
- 15 Magnolia tree assessments, surface rooted.
- #2 Weatherstone 98 feet from 25A; Stones keep falling down only matter of time before they get to the road.
- Dogwood 2 drains repaired, need to be hot patched.
- Clearbrook needs to be fixed.

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

Mayor Delaney reported that:

- Review budget letter.

Mayor Delaney made a **motion** to close the meeting. Trustee Carro seconded the motion, which was approved unanimously. The meeting was adjourned at 9:06 pm.

Respectfully submitted,  
Christine Cozine  
Village Clerk

Attached are the Local Laws #3,#4, and Court Resolution.