

Village of The Branch – Board of Trustees Meeting
February 12, 2019

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 12, 2019. Mayor Delaney, Trustees Carro, Newman, and Botto, Treasurer Mequia, Village Attorney Ring, Building Inspector Arico and Village Clerk Cozine were present.

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

Mayor Delaney asked for a **motion** to accept the minutes of the January 2019 BOT meeting. Trustee Carro made the **motion** and Trustee Newman seconded the motion. All in favor and was approved unanimously.

Mayor Delaney asked for a **motion** to accept the minutes of the work session February 2019 meeting. Trustee Newman made the **motion** and Trustee Carro seconded the motion. All in favor and was approved unanimously.

Mayor Delaney asked for a **motion** to accept the amended minutes of the December 2018 BOT meeting. Mayor Delaney made the motion and Trustee Newman seconded the motion. All in favor and was approved unanimously.

Treasurer's Report

Treasurer Mequia reported that:

- Ordered the assessment role from the Town of Smithtown.
- Starting to get budget numbers together for upcoming budget.
- Mayor Delaney informed Treasurer Mequia that John Valentine would be getting shared services numbers in the next 30-60 days.
- We are currently scheduled to lose \$6,888 in AIM Funding in State Aid.

Trustee Newman made a **motion** to accept the treasurer's report as submitted and direct treasurer to pay all the bills on Abstract # 2145 totaling \$34313.04. Trustee Botto seconded the **motion** which was approved unanimously.

At this time the meeting was opened to the Public:

Special Use Permits

3/2/19	Sweet 16	3-10 SHS	Approved
3/10/19	Auto Swap	SHS	Approved
9/14/19	Bday party	1-7 SHS	Approved
4/28/19	Annual Car Show	St. Patrick's Church	Approved
5/10-11/19	Mother's Day Plant Sale	United Methodist Church	Approved

Dennis Bader – Birchbrook Drive resident wanted to inform the Board of a bunch of recent “break ins” the neighborhood. He then gave the floor to Anastasia Glasheen whose parents resided at 8 Birchbrook Drive and have recently passed away. She stated that she has a problem

with one particular house. On February 1st her house was burglarized into and 5 Birchbrook Drive is the house in question. That house was sold in 2004 and has had numerous renters. Her parents complained once and then their house was vandalized as well as Pearlman's house next door. There has been lots of loud music and parties and called to complain to the Clerk 2 years ago and she put her in touch with Trustee Newman. Also spoke with Karen Sylvestre of Public Safety. After that the ball dropped and nothings been done. In past 6 months there has been numerous events going on with other residents. Ms. Glasheen wants to know what will it take for the Village or Building Inspector to enforce the single family home ordinance. She stated she will look into getting a neighborhood watch program set up. She also mentioned that #55 Birchbrook took in two boarders who turned out to be vagrants and had drug paraphernalia and when asked to leave they threatened the homeowner. Mayor Delaney responded that the problem is we can't get into residents houses unless they give us permission to check and then we can tell if single family home or not. The Mayor contacted the 4th precinct and is waiting to get a report. He suggested to the residents of Birchbrook to snap a picture of license plates of suspicious cars or cars with out of state plates. This way we can act immediately and start to build a case against said persons. Attorney Ring mentioned that the key is to get them into the Court system. The Mayor informed Ms. Glasheen that the Supervisor of Code Enforcement (Kathy Calliat) is aware of her situation and is already looking into it. He also encouraged them to send paper trail to the Clerk's office when they get information.

**** Joe Arico arrived at 8pm*****

4 Sutton Place homeowner came in to talk about a notice of violation he received for having a high fence. He said he was going to make a flowerbed with dirt. The Building Inspector told him he wants the Engineer Dan Falasco to check it out. Mayor told him to be careful about the DEC and grading the property because he is near the stream.

Diane 26 Branch Drive- Came in to discuss her neighbor at 28 Branch drive put in a pool and removed her fence and they carted it away without her permission. She now has a grading issue with her backyard property and it has become a swimming pool and constantly flooding issues. Ducks actually swim in her backyard, she has moss and her trees are listing. She never had a problem before the pool was put in. She has spoken to the neighbor and he agreed to put a drain in and will re-fix the grading of his property in the spring. Inspector Arico won't be able to give him a CO for the pool until it is fixed. Attorney Ring said that Engineer Falasco needs to weigh in on this and write up a report.

At this time meeting was closed to the public.

Mayor Delaney read proposed Local Law 1 2019:

Local Law No. 1 of the year 2019

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 1st, 2019 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 1st, 2019 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.

Mayor Delaney made a **motion** to accept Local Law #1 2019. Trustee Carro seconded the **motion** which was approved unanimously.

Attorney Ring’s Report

Attorney Ring reported that:

- Missed last month’s meeting
- Last Court session had 7 cases, 2 defaults, 3 adjournments, 1 trial and 1 dismissal for a total of 14 cases.
- Election is March 19, 2019 and there are two open Trustee seats.
- Renovation for Village Hall – worked on documents and bid opening is January 31st at noon.
- There is a letter for Mayor to sign for Fire Contract conflict of interest.

- There is an Accessory Building issue that needs advice from Building Inspector Arico. Raymond Kelly of 32 Hemlock has been to Court because Public Safety has issued a ticket.
- Mayor Delaney informed Attorney Ring that Cresthill Group Home is not behaving nicely again.

Trustee Botto made a motion to advertise a public hearing at the February meeting for the purpose to enact local law to allow village to exceed 2% tax cap. Trustee Newman seconded the motion. All in favor and was approved unanimously.

Trustee Carro's Report

Trustee Carro reported that:

- Building Inspector Arico has given his part for the Code revision, but still waiting on Engineer Falasco.
- FES has not told PSEG to change the light bulbs cost because they use less watts. The bills from PSEG have not reflected any savings yet!
- Spoke with Rich the maintenance man from Sunrise about the lights on the pathway to the Village Hall. They are currently not working.
- Resident called to complain about backyard neighbor (4 Sutton Place) who sent a letter asking the neighbors to pay for part of a fence. The resident wanted to know how the Board felt about this. Asked Building Inspector Arico to check it out.

Trustee Newman's Report

Trustee Newman reported that:

- Uncle Guiseppe's new property manager is unresponsive. The area by the woods needs to be cleaned up along the South end by the foot bridge.
- Need new side walk sales permit for Uncle Guiseppe's
- Need tent permits from Uncle Guiseppe's
- Also reminded Inspector Arico of the lights around the perimeter of liquor store
- There is a tractor trailer wedged between Uncle Guiseppe's and the stand alone bank that needs to be looked into.
- Dumpster in the back of Uncle Guiseppe's is overflowing and filled to the brim.

Building Inspector's Report

Building Inspector Arico was not present to report:

Trustee Botto's Report

Trustee Botto reported that:

- Moving along with the renovation, having a walk through January 15th 2019.
- Need to have a meeting with Inspector Arico.
- Need to contact the phone installer about moving the lines to the new location once the renovation starts.

Trustee Albrecht's Report

Trustee Albrecht reported that:

- Cresthill success with super sucker, Sonnenberg found the junction box which helped greatly.

- Between #19/#21 Cresthill would like to get in there and put in another pipe, would need to take down fences.
- Engineer Falasco is working on Dogwood estimate for paving roads and the courts off od Dogwood as well.
- Patching needs to be done.
- The leaves in front of Group Home on Dogwood are growing Trustee Carro said he will speak to them.
- Resident #26 Branch is flooding and feels that neighbor at #28 Branch is to blame for the new pool put in. Inspector Arico will go and look at it.
- Will be missing February work session and Board meeting.

Mayor Delaney made a **motion** to close the meeting. Trustee Botto seconded the **motion** which was approved unanimously. The meeting was adjourned at 9:05 pm.

Respectfully Submitted,

Christine Cozine
Village Clerk