

**Village of The Branch – Board of Trustees Meeting
September 13, 2022
Track #56**

The monthly meeting of the Village of The Branch was held at 40 Route 111, Smithtown, NY, seven thirty p.m. on September 13, 2022. Mayor Delaney, Trustees Carro, Ryan, Damm, Building Inspector Arico, Treasurer Mequia, Village Attorney Ring and Village Clerk Cozine were present.

Mayor Delaney called the meeting to order at 7:35 pm with the pledge of allegiance.

Trustee Carro made a **motion** to accept the August 2022 Board of Trustees minutes and Trustee Damm seconded the **motion**. All are in favor, approved unanimously.

Trustee Carro made a **motion** to accept the September 2022 work session minutes and Trustee Damm seconded the **motion**. All are in favor, approved unanimously.

Treasurer's Report

Treasurer Mequia reported that:

- Busy month, received a lot of delinquent taxes, only 5 left
- Sign permits coming in steadily.
- Need to schedule audit

Trustee Carro made a **motion** to accept the treasurer's report as submitted and direct treasurer to pay all the bills on Abstract #2188 totaling \$60,651.92. Trustee Damm seconded the **motion** which was approved unanimously.

Trustee Carro made a **motion** to open the meeting to the public. Trustee Damm seconded the **motion** which was approved unanimously.

Glenn Haberfield – 3 Village Way resident wanted to know what's going on at Old Rte. 111. Mayor Delaney proceeded to give the backstory that in 1976 Suffolk County gave the maintenance over to the Village of The Branch, but the County retained ownership of property. About 6 years ago found a grant to help with Old Rte. 111 maintenance. The plan was to be done in phases. We just completed phase 1. It will include fencing, cameras, better lighting, bridgework. Then Covid came along and the lowest bidder on the project came in way over budget at \$640,000. We only had about \$200,000 grant so we unfortunately had to give back the grant money because we could not expect the Village to spend \$400,000 out of pocket. Then just recently we received a tip that the State had extra money that could be applied to clean up the path. The overwhelming reaction from residents has been positive. Phase 2 we will be working with Town of Smithtown doing downtown revitalization program to fix fencing and plantings/screening to provide a buffer. After listening, Mr. Haberfield started to recite information that was put on our website back in 2016 and said we obtained a \$1 million grant...etc. He also mentioned covid hit in 2020 and that is no longer an excuse. In 2022 there was clearing of the Greenbelt, and Mayor Delaney interrupted to correct Mr. Haberfield, it wasn't Greenbelt, there is a big difference. The Village is forbidden to touch the Greenbelt property. The \$1 million grant was to do the culvert project, not the Old Route 111 project, it is two different project that is being confused. Mr. Haberfield continued to talk that there was no mention about the clearing of underbrush that took place at Old Rte. 111 and is upset about the pace of the project. Mr.

Haberfield would like calendar of time to see this project done. Mayor Delaney walked him through the process, its nothing that happens overnight. Mr. Haberfield asked about the Dagnelli property, and the mayor responded that is DOT area so we can not touch it. Mr. Dagnelli had previously gotten in touch with State to put planting beds in front of his house. Mr. Haberfield wanted to be told what was going on before the work was done, he was given no warning and now feels like there is easy access to his backyard and there is no end to the plan in sight. Trustee Damm mentioned that a fence was going to be put up, was having a meeting with the fence guy. Mr. Haberfield responded he feels the Village should be held to a higher standard and not be allowed to fence residents in. Mayor Delaney said he will speak with the affected residents. Mr. Haberfield also expressed his dismay that the project was underestimated by over \$400,000. Mayor Delaney explained how state contracts work and \$90,000 was paid to H2M, Engineer, to get the report. Mr. Haberfield was upset that we paid that much money to get plans, but realizes that the Village had to do that to get plans made to do the actual project. The village only paid approx. \$50,000 because we were reimbursed for part of it. Mr. Haberfield does not agree how this project has been handled so far., the demarcation line invites trouble, thinks the project is misguided and feels he and his neighbors will be affected. Mayor Delaney noted that zero Village dollars were used for phase1 and suggested they get together and do a walk through.

Hal Tarry – 5 Village Way resident, moved in March 2022, heard about the project and is happy that it is underway. Was upset that more underbrush was removed, but now sees something will be done in the future. He moved to this location because of the Greenbelt. Would like to have some input on future. Clerk Cozine took his email address to send him the engineers plans of the whole project.

Mr. Haberfield had another question regarding fences in general. Numerous homeowners do not comply with fences. Wanted to know what is the point of the Code if its not enforced? Mayor Delaney explained we recently changed the Code and went through the Village and did inventory of those not in compliance and 7 or 8 properties not in compliance. These are mostly corner properties. The Village is also in the process of putting letters and notices in their property folders, corner properties are different.

Trustee Carro made a **motion** to close the public meeting. Trustee Damm seconded the **motion** which was approved unanimously.

Trustee Carro's Report

Trustee Carro reported that:

- Justice Court had, 8 guilty reduced fines,2 dismissal, 2 default judgements, 5 no shows rescheduled for September.
- Hemlock lights out #17, Cablevision was there digging prior to lights out.
- 2 Howell Drive – corner property, homeowner spoke to TOS, and they were nasty to her. Her land is next to Village, and she has issue with crashing into her fence and also has a rat problem.

Building Inspector's Report

Building Inspector reported that:

- Issued 1 new permits, issued 7 C/O, and 12 inspections
- Dawn the BI Assistant was in a bad car accident so will be out for a week.
- Fresh Market has stuff on sidewalk, need sidewalk sales permit

- Met with Fire Marshall and BOH for urgent care going in where bank used to be in Branch Shopping Center.

Attorney Ring's Report

Attorney Ring reported that:

- Local Law #4 went to the State.
- Trenchless contract
- Old Route 111 contract

Trustee Botto's Report

Trustee Botto was not present to report:

Trustee Damm's Report

Trustee Damm reported that:

- Erosion problems by the culverts have been fixed
- Phase 1 of Old Route 111 project is done.
- Supposed to walk through with fence guy today, but there was a miscommunication problem, so we are rescheduling.
- Asked Board to look at the post at Long Beach and wants to replicate that at Woodhollow Rd.
- Guardrails are rusted, need to be removed, will get estimate from J Fuentes.

Trustee Ryan's Report

Trustee Ryan had nothing to report:

Mayor Delaney's Report

Mayor Delaney reported that:

- 2 cars were burglarized in Village, will reach out to SCPD for update.
- Neighbors of 9 Branch are asking about the potential of razing the house as it continues to be an eyesore. Trustee Carro to work with SPS to see if home can be designated a zombie. Tarp is falling again, need to have BI issue a NOV.
- Need dates for Sunrise meeting regarding sewers
- Selected **leaf and brush** pick up days for the **week of Oct 24, Nov 28, Dec 12, and Christmas Tree** pickup on **Jan 17, 2023**.
- Will put together an online newsletter.

Trustee Carro made a **motion** to open Public Hearing to amend Accessory Structures section 275-13-C. Trustee Damm seconded the **motion** which was approved unanimously.

Mayor Delaney read Local Law#4 into record:

Local Law No. 4 of the year 2022

Village of The Branch, County of Suffolk

275-14. Minimum rear yard requirements.

C) Number and size of accessory buildings. In the Residence A district, excluding swimming pools, no improved one family residential building lot shall contain more than two accessory buildings,

either temporary or permanent, and such accessory buildings shall not be more than 750 square feet in area.

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

Trustee Carro made a **motion** to close Public Hearing to amend Accessory Structures section 275-13-C. Trustee Damm seconded the **motion** which was approved unanimously.

Trustee Carro made a **motion** to approve local law #4 of 2022. Trustee Damm seconded the **motion** which was approved unanimously.

Trustee Carro made a **motion** to approve NY Trenchless contract for underground lighting. Trustee Damm seconded the **motion** which was approved unanimously.

Special Use Permits – SHS Civil War Ball 10/28/22 Approved

Mayor Delaney made a **motion** to close the meeting at 9:12pm. Trustee Damm seconded the **motion** which was approved unanimously.

Respectfully Submitted,
Christine Cozine
Village Clerk