

Village of The Branch – Board of Trustees Meeting
October 8, 2019
Track #3

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 October 8, 2019. Mayor Delaney, Trustees Carro, Albrecht 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 7:37 pm.

Trustee Botto made a **motion** to accept the September 2019 Board of Trustees minutes and Trustee Carro seconded the motion. All are in favor.

Trustee Carro made a **motion** to accept the October Board of Trustees work session minutes and Trustee Botto seconded the motion. All are in favor, Mayor Delaney abstained since he was not present at meeting.

Treasurer's Report

Treasurer Mequia reported that:

- Letters from the Auditors in the mail
- Audit is set for November
- Received a delinquent tax payment from someone that owed 4 years.

Trustee Carro made a **motion** to accept the treasurer's report as submitted and direct treasurer to pay all the bills on Abstract # 2153 totaling \$24,890.98. Trustee Botto seconded the **motion** which was approved unanimously.

At this time meeting was opened to public:

Alfred Carfora - 39 Birchbrook Drive – Is new to Village and has a problem with the Acadia shopping center which is in his backyard. They are using leaf blowers and street sweeper after 10pm and at 3am which is against our Code. Printed out the noise ordinance and followed up with public safety, Karen Sylvester and never heard back.

Jack Hartford – resident of Birchbrook, wanted the Board to pay special attention to the fact that Mr. Carfora left Bayside Queens to move here and he hope that responds with Board. He corroborated the noises that Mr. Carfora described.

Ann Leavy – 11 Windcrest Lane in Miller Place, was interested in purchasing 257 East Main Street and making it a luxurious dog hotel (animal boarding) located in the Historic District. Something like a bed n breakfast posh dog hotel. No more than 25 dogs at one time. Wants to have a doggie daycare there as well. There wouldn't be a dog run, but a dog walker instead. Trustee Carro informed her that there is no retail allowed in Historic District. She would need a special exception permit with either the BZA or Planning Board. Mayor Delaney mentioned might not be right fit for that location.

Vincent Di Cannio – builder of homes on Judges Lane – mentioned he is all good with the paperwork.

At this time meeting was closed to the Public.

Attorney Ring's Report

Attorney Ring reported that:

- Renewal contract for Sonnenberg for snow removal is signed by both parties.
- Drafted Resolution for Mystic Falls.
- Sent letters to numerous residents regarding tree trimming. Received 4 responses today. Need surveys to show which trees are correct property owners.
- RS Abrams letter responded.
- Justice Court – 11 cases on agenda, 7 plead down, 1 trial with no appearance, still waiting for Justice Murphy's decision.
- Application from Town of Smithtown to take lead agency status for SEQRA; will ask Engineer, Dan Falasco, for input and then will send Town a written response.

Trustee Carro's Report

Deputy Mayor Carro reported that:

- Lights shining in bedroom windows of Hemlock residents from St. Patricks snack shed by dek hockey rink. Talked to maintenance to adjust lighting.
- Sunrise wants VOB to share in the expense of the electric bill to fix lights in the parking lot.
- FES threatening to charge late fees since we don't pay our bills by the 1st of the month.

Trustee Ryan's Report

Trustee Ryan was not present to report:

Trustee Albrecht's Report

Trustee Albrecht reported that:

- Residents complaining about leaf/brush being put out too early before scheduled pickups.
- 55 Mt. Pleasant Resident was in to get a permit to take down tree in driveway.
- Village Way County piece of property 0 Mayor spoke to Leslie Kennedy regarding this situation because maintenance needs to be done.
- Mr. Dagnelli, we didn't send him a tree letter, but needs to be reminded that he needs to take care of tree.
- Claremont Court -resident is questioning the tree trimming letter that the tree is on their property or not.
- Crack seal- Fall is the time to take care of this. Mayor Delaney asked if he had any suggestions. Trustee Albrecht said he doesn't think Weatherstone and Carriage House have ever been done. Does not want to use Rosemar because the experience we had last time at Plaza and Executive.

- At Sept 10th BOT meeting Mr. Bender asked about dredging the streams? Mayor Delaney said silt remediation would be 600 linear feet. Electric meter should be put in effect and hope that the road will be reopened before Thanksgiving.

Trustee Botto's Report

Trustee Botto reported that:

- Worked on getting quote \$978 for Clerks computer & phone automated system.
- Working on sprinkler and getting it removed from Sunrise's control.
- Asked trustee for Electric bill from Sunrise and said he would handle.

Special Use Permits

05/16/20 Bridal Shower SHS Approved

Building Inspector's Report

Building Inspector Arico reported that:

- Orange Theory got permit for roof renovation
- 9 Branch Drive is still being summonsed every day.
- Carvel and Pho Fans have been given CO's
- Mattress Firm is subdividing
- 12 Village Way still has garbage out in front of house.
- 11 Branch Dr has been issued summons
- Jeremy at Acadia shopping Center has been spoken to about the neighbor as well as Karen Sylvester from PS.
- Met with Greg Anderson, Roger added that Village Hall is done and ready for final inspection
- Trustee Carro asked Joe to look at flag lot driveway on Mt Pleasant.
- 55 Mt Pleasant came in for necessary permits.
- October 19th Ribbon Cutting Ceremony extended to Town of Smithtown.

Mayor Delaney's Report

Mayor Delaney reported that:

- Read Court Resolution and Mystic Falls Resolution into the record.
- Extended invites to Damianos, Newsday, Town Supervisor, the Kennedy's, Board of Trustees for Saturday October 19th
- Spoke to resident at 24 Dogwood regarding retaining wall and they declined to take back the property. Going to ask Legislature to see if we can get a grant to help defray the cost.

Resolution No. 3

Incorporated Village of the Branch

Public Meeting dated October 8, 2019

WHEREAS, Mystic Falls, LLC, has previously applied for and received an approved subdivision for property located on Judges Lane, in the Village of the Branch (the “VOB”), Town of Smithtown, County of Suffolk (the “Subdivision” and/or “Property”); and

WHEREAS, Mystic Falls, LLC seeks to dedicate two (2) parcels of land to the VOB as part of finalizing the subdivision, which parcels are more particularly described on the two (2) Schedule “A” legal descriptions annexed hereto as Exhibit “1”; and

WHEREAS, the VOB is willing to approve the aforementioned dedication and accept the two (2) parcels donated by Mystic Falls, LLC as more particularly described within Exhibit “1” annexed hereto; and

NOW, THEREFORE, BE RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF THE BRANCH that VOB shall accept the dedication of the aforementioned two (2) parcels of land and release Mystic Falls, LLC’s construction bond pursuant to the terms and/or conditions contained herein,

1. As part of the VOB’s acceptance of the two (2) parcels being dedicated by Mystic Falls, LLC, Mystic Falls, LLC, by and through its successors, assigns, and/or principals, agrees to remit a landscaping and growth bond in the amount of \$5,000 to VOB to be held by VOB in a trust and agency account up to and including October 1, 2021, so as to ensure that the landscaping and/or vegetation on, within, or adjacent to the two (2) parcels of land being donated to VOB remain viable and/or in proper state or form.
2. Mystic Falls, LLC agrees that up to and including October 1, 2021, Mystic Falls, LLC will be solely responsible for all care and costs associated with the maintenance of any landscaping, vegetation, shrubbery, and/or growth currently located on the two (2) parcels of land being dedicated, including, but not limited to, all costs associated with watering and/or hydrating these areas.
3. That all costs associated with the transfer and/or dedication of the instant two (2) parcels from Mystic Falls, LLC to VOB shall be the sole responsibility of Mystic Falls, LLC.
4. That VOB does hereby release Mystic Falls, LLC from its present construction bond issued by First National Bank of Long Island in the amount of \$75,000.00 subsequent to the filing and recordation of all documents legally necessary to transfer ownership of the two (2) parcels described herein to VOB.
5. That the Mayor is hereby authorized to execute any and all documents necessary to effectuate any of the terms and/or conditions of this Resolution subject to the review by the Village Attorney.

The adoption of the foregoing Resolution was motioned for a vote by Mayor Mark Delaney Seconded by Trustee John Carro, and duly put to a vote which resulted in the following:

Mayor Mark Delaney Aye: X No: _____

Trustee John Carro Aye: X No: _____

Trustee George Albrecht Aye: X No: _____

Trustee Roger Botto Aye: X No: _____

Trustee Dennis Ryan – absent

Resolution was Duly Adopted

Resolution Number #4

Village of The Branch

Incorporated Village of The Branch Authorizes Village Justice to Submit a Grant Application for Financial Assistance to the State of New York Unified Court System under the 2015 Justice Court Assistance Program

RESOLVED: That Hon. Fred Schwartz, Justice of the Incorporated Village of The Branch, is hereby authorized and directed to file an application for funds from the State of New York Unified Court System under its Justice Court 2015 Assistance Program, in an amount not to exceed \$30,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this Incorporated Village of The Branch for improvements to the court facility.

CERTIFICATION

I, Christine Cozine, Village Clerk hereby certifies that Justice Fred Schwartz is authorized by the Board of Trustees to apply for a Grant for Financial Assistance, in an amount not to exceed \$30,000 to the State of New York Unified Court System under the 2015 Justice Court Assistance Program.

Trustee Botto made a **motion** to close the meeting. Trustee Albrecht seconded the **motion** which was approved unanimously. The meeting was adjourned at 8:55 pm.

Mayor Delaney made a **motion** to approve H2M to design the work at the Greenbelt Trail. Trustee Botto seconded the **motion** which was approved unanimously.

Trustee Botto made a **motion** to close the meeting. Trustee Albrecht seconded the **motion** which was approved unanimously. The meeting was adjourned at 8:55 pm.

Respectfully Submitted,

Christine Cozine
Village Clerk