

Village of The Branch – Board of Trustees Meeting
May 12, 2020
Track #15

The monthly meeting of the Village of The Branch was held via zoom at seven thirty p.m. on May 12, 2020. Mayor Delaney, Trustees Carro, Ryan, and Botto, Treasurer Mequia, Village Attorney Ring, Building Inspector Arico and Village Clerk Cozine were present.

Mayor Delaney called the meeting to order at 7:34 pm.

Trustee Carro made a **motion** to accept the April 2020 Board of Trustees minutes and Trustee Botto seconded the motion. All are in favor, passed unanimously.

Treasurer's Report

Treasurer Mequia reported that:

- Tax bills printed and picked up postage and will be mailed next week.
- Already collected a 2020 tax bill because a house sold and closed.
- Still haven't received March 31st Suffolk County Real Estate Tax check yet.

Trustee Botto made a **motion** to accept the treasurer's report as submitted and direct treasurer to pay all the bills on Abstract #2160 totaling \$26,462.35. Trustee Carro seconded the **motion** which was approved unanimously.

Trustee Carro made a **motion** to open the Public Hearing for Altice Agreement. Trustee Botto seconded the motion. All are in favor, passed unanimously.

Mayor Delany stated this is a standard renewal for our cable agreement. Attorney Ring mentioned that he worked with Altice and the version presented tonight is acceptable. There were no comments from the public.

Trustee Carro made a **motion** to close the Public Hearing for Altice Agreement. Trustee Botto seconded the motion. All are in favor, passed unanimously.

Trustee Carro made a **motion** to approve the Altice Agreement. Trustee Botto seconded the motion. All are in favor, passed unanimously.

Trustee Carro made a **motion** to open the Public Hearing for Local Law #3. Trustee Botto seconded the motion. All are in favor.

At this time Clerk Cozine read into record Local Law #3 to Repeal the Tax Levy. There were no comments or questions.

Local Law No. 3 of the Year 2020

Village of The Branch, County of Suffolk

LOCAL LAW #3 TO REPEAL LOCAL LAW NUMBER # 1 OF 2020 -- TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c

Be it enacted by the Village of The Branch as follows:

SECTION 1: LEGISLATIVE INTENT: This Local Law shall be known as “Local Law Number 3 of 2020”. It is the intent of this Local Law to repeal Local Law Number 1 of 2020, and to thus reinstate the limits on the amount of real property taxes that may be levied by the Village of The Branch pursuant to General Municipal Law §3-c.

SECTION 2: EFFECT: This Local Law hereby thus repeals in its entirety said Local Law Number 1 of 2020, and declares the same of no force or effect, and thus the Village of The Branch repeals the prior tax cap override local law of the Village of The Branch and reinstates the tax levy limits imposed by General Municipal Law §3-c.

SECTION 3: SEVERABILITY: If any portion this Local Law, or the application thereof to any person, entity, or circumstance, shall be determined by any court or tribunal of competent jurisdiction to be invalid or unenforceable, such determination shall be confined in its operation to the invalid part hereof, or in its application to such person, entity, or circumstance as is directly involved in the controversy in which such determination shall have been rendered, and the remainder of this Local Law shall not be impaired thereby and such determination shall not be deemed or construed to apply to other persons, entities, or circumstances.

SECTION 4: EFFECTIVE DATE: This Local Law shall take effect immediately.

Trustee Carro made a **motion** to close the Public Hearing for Local Law #3. Trustee Botto seconded the motion. All are in favor, passed unanimously.

Trustee Carro made a **motion** to approve Local Law #3 of 2020. Trustee Botto seconded the motion. All are in favor, passed unanimously.

At this time Mayor Delaney opened the meeting to the Public

Joan & Gary Pisano – Clearbrook Road residents - stated the road is in disrepair, its small and narrow. An advantage of paving it is that it has no curbs or sidewalks so it may cost less to pave.

Mayor Delaney spoke and apologized for not getting a response to their letter out later than he wanted. Clearbrook and Dogwood are the two roads the Village has on our radar to pave. Dogwood has a sink hole problem and school on it, so we have that as a priority. Problem now is more economics, due to Covid 19. We need better financial security before we make big decisions. We are hoping the shopping centers bounce back.

Trustee Carro inquired if the residents want curbs or not and they said NO to curbs.

David Tannenbaum – 7 Clearbrook Resident – is indifferent on curbs, whatever’s cheaper. He had a water main break in front of his house that SCWA did not fix

properly. Patch isn't great, and usually do a permanent patch, but not yet. Trustee Botto mentioned he is very aware of the situation.

John Frost – Clearbrook resident – has no interest in curbs. It has been 3 years that the street has been a problem. Other streets are maintained nicely. This is not a good reflection on the Village.

Mayor Delaney mentioned that we are going to change our road opening permit fees and require bonding of \$5,000. It is an incentive to get them to do job correctly.

David Tannenbaum also mentioned that kids are now on their bicycles and outside more, so if you can get SCWA out here sooner than later to fix road issue. Trustee Botto said he would reach out to them and get back in touch with him.

Lara Pirrone – Clearbrook resident – the water main break happened in the fall, the patchwork took place in February. Mentioned they are also putting in gas lines too.

Gary Pisano – Clearbrook resident – when they repair gas mains, don't they do a permanent patch? How can utilities get away with poor workmanship? If they did it correctly you wouldn't need to repave. He also mentioned not interested in curbing.

Mr Tannenbaum – if retail income falls short will that impact our road from being paved for a couple of years? Mayor Delaney said he doesn't think so, just needs 30-40 days to see how shopping centers are doing.

Trustee Botto mentioned since Clearbrook residents are not interested in curbing, so that will save money.

Attorney Ring's Report

Attorney Ring reported that:

- Local Law #2 sent to the State for filing
- Brothers waste due 8/1/20, so we need spec to go out to bid. Trustee Roger asked Clerk to get him a copy of the spec.
- Get Local Law #3 to Cheryl so she can send to NYS.
- Will get in touch with Altice tonight regarding paperwork
- IMA – got in touch with Town of Smithtown about road maintenance, they responded within a day.
- Mayor Delaney wants Attorney Ring to get the local law from Nissequoge that deals with peddling and review it so we can get that on our books as well. Attorney Ring suggested maybe a 6 month fee as opposed to a year.
- Attorney Ring asked if we could get a copy of their final approved code.

Building Inspector's Report

Building Inspector Arico reported that:

- Inspecting Damianos on the weekend
- Fence at 8 Claremont Court needs to do a building permit so it can be denied and then go to BZA for a variance.
- 51 Mt. Pleasant Dr had sawing going on at 8:30 am on Sunday, Mother's Day
- 55 Mount Pleasant – gave a NOV for fence and commercial truck
- Tree at 5 Birchbrook is big but it is no imminent danger
- Mannino's picnic table, aware of it. Going to have Public Safety handle this issue with Nick Kafalas.

- Having applications sent to my home and then bringing them into Village Hall.
- 12 Village Way – will check out with Karen Sylvester from Public Safety about unregistered cars and mess in front
- Mayor Delaney asked Mr. Arico to check out 9 Branch Drive. He was digging stumps out by hand in his backyard.
- 3 Ash Court was looking for a curb cut and wanted a drain put in his court.

Trustee Carro's Report

Deputy Mayor Carro reported that:

- Sending letter to Town of Smithtown about Garden Grill letting them know we are against the expansion.
- St. Patrick's Church is looking to put up an LED sign in the Historic District. Asked the Board their opinions. Trustee Ryan agrees with Carro that it doesn't fit in and that it would set a bad precedent. Trustee Botto abstained and Mayor Delaney is against it and it is not keeping with Historic District guidelines. St. Patrick's would need to go to Planning Board first and then come back to Board of Trustees to get approval.

Trustee Botto's Report

Trustee Botto reported that:

- Handling the Roads now – condition of roads, getting a routine now, driving around more.
- Sonnenberg Nurseries just billed us \$4,000 for the recent windstorm. Feels we are being billed more hours.
- Mayor Delaney mentioned he doesn't feel Sonnenberg Nurseries are doing the entrances to the neighborhoods on a timely basis.
- Trees seem to be a problem for us, maybe we can hook up with Reliable Tree Service. Also if we get an IMA with Town of Smithtown, we can save money there.
- Access to West side of Route 111 with Alex. Don't want to throw a lot of money into there. Received an original estimate of \$700 and got it down to \$250. Mayor Delaney wants at least a foot path to get down to the stream.

Trustee Ryan's Report

Trustee Ryan had nothing to report:

- Dogwood drains, water runs off a lot. The drains were rigged a long time ago because village didn't want to spend a lot of money on them.
- Offered to help Trustee Botto since he is not working in Manhattan anytime soon.
- Will follow up on the firewall with Nick Forte.

Mayor Delaney's Report

Mayor Delaney reported that:

- Wants to continue having zoom meetings going forward for those who cannot attend. Will transfer over administration of zoom to Clerk Cozine so it can be used for all meetings, PB, BZA, Court etc....
- Wants to hold June BOT at Village Hall, but wants feedback from Clerk, Treasurer and Building Inspector.

Mayor Delaney made a **motion** to amend the code for a \$500 road opening permit fee with a \$5,000 bond. Trustee Carro seconded the **motion** which was approved unanimously

Mayor Delaney made a **motion** to close the meeting. Trustee Carro seconded the **motion** which was approved unanimously. The meeting was adjourned at 9:21 pm.

Respectfully Submitted,

Christine Cozine
Village Clerk