

**Village of The Branch – Board of Trustees Meeting  
May 10, 2022  
Track #50**

The monthly meeting of the Village of The Branch was held at 40 Route 111, Smithtown, NY, seven thirty p.m. on May 10, 2022. Deputy Mayor Carro, Trustees Botto, Ryan, Damm, Building Inspector Arico, Village Attorney Ring, Treasurer Mequia, and Village Clerk Cozine were present.

Deputy Mayor Carro called the meeting to order at 7:43 pm with the pledge of allegiance.

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

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

**Treasurer's Report**

Treasurer Mequia reported that:

- Moved \$45,000 from snow budget to increase the parks budget by \$35,000 and leaf & brush/sweeping to \$10,000 to keep more in line with actual costs.
- All tax bills are printed
- Waiting on Mayors letter to include with tax bills

Trustee Botto made a **motion** to accept the treasurer's report as submitted and direct treasurer to pay all the bills on Abstract #2184 totaling \$20,665.50. Trustee Damm seconded the **motion** which was approved unanimously.

Trustee Botto made a **motion** to open the Public Hearing to discuss repealing the tax cap override-Local law #2 of 2022. Trustee Damm seconded the **motion**. All are in favor, approved unanimously.

Deputy Mayor Carro read into record Local Law #2 of 2022 as follows:

***LOCAL LAW #2 TO REPEAL LOCAL LAW NUMBER # 1 OF 2022 -- 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 2 of 2022". It is the intent of this Local Law to repeal Local Law Number 1 of 2022, 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 2022, 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 Botto made a **motion** to close the public hearing. Trustee Damm seconded the **motion**. All are in favor, approved unanimously.

Deputy Mayor Carro made a **motion** to approve Local Law #2 of 2022. Trustee Botto seconded the **motion**. All are in favor, approved unanimously.

Trustee Botto made a **motion** to open the public meeting. Trustee Damm seconded the **motion**. All are in favor, approved unanimously.

Deputy Mayor Carro made a **motion** to increase the sign permit fee from \$3.50 to \$4.50 per foot. Trustee Botto seconded the **motion**. All are in favor, approved unanimously.

Deputy Mayor Carro made a **motion** to increase the Certificate of Compliance for new sign permits for the first time. Trustee Botto seconded the **motion**. All are in favor, approved unanimously.

Deputy Mayor Carro made a **motion** to increase the BZA fee from \$500 to \$750 to cover the costs of the court stenographer. Trustee Botto seconded the **motion**. All are in favor, approved unanimously.

Prya- Smithtown Historical Society – Spoke about hosting a Holiday event for 8 weeks starting Nov 4 – January 9, 2023, weekends only. Friday – Sunday 5-9:30 pm. Will use Damiano's 222 Middle Country Road for and talking to the church as well. Have the 4<sup>th</sup> Precinct parking for crossing guards. Showed a video to the Board of what it would look like. They will presell tickets \$222 for nonmembers, \$17 for SHS members, \$12 kids 12 – 3 years old and kids under 3 free. There will be no parking on the actual SHS grounds, except maybe handicap parking, which would be on the East side of the property. There will probably be around 500 people at the event at a time. They also said there would be no events happening at the SHSH Brush Barn at the same time on weekends while this event is going on.

\*\*\*\* Joe Arrived at 7:56 pm \*\*\*\*

#### Special Use Permits

1<sup>st</sup> Bday party – SHS – Approved

Holiday Party – SHS – Approved

Trustee Botto made a **motion** to close the public meeting. Trustee Damm seconded the **motion**. All are in favor, approved unanimously.

#### Attorney Ring's Report

Attorney Ring reported that:

- Local Law #2 of 2022 will be filed with the State.

\*\*\*\* Joe Arico arrived at 7:54 pm\*\*\*\*

Trustee Botto made a **motion** to extend the J Fuentes landscape contract for one more year. Trustee Damm seconded the **motion**. All are in favor, approved unanimously.

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

Trustee Botto reported that:

- All roads have been marked that need repairs: Hemlock, Birchbrook etc.... Waiting to hear from Jim Deutche from TOS what the cost will be and get a date.
- New drain done at Birchbrook, looks great! Curbs as well.

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

Trustee Carro reported that:

- Justice Court had 8 people on the agenda. 2 no shows, 1 dismissal, 2 paid reduced fine 2 guilty.
- Asked Joe Arico about 301 E Main St and it needs a CO for the garage before he will sign off on their plans for Planning Board. Planning Board is OK with all the changes, just need to fix the plexi glass window. Then they will have to go to BOT.
- Joe Arico said he would get in touch with Yuliya about the CO.
- Also requested that the double covenants be on the front of the site plan. PB will not meet in May

### **Trustee Damm's Report**

Trustee Damm had nothing to report.

### **Trustee Ryan's Report**

Trustee Ryan had nothing to report.

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

Building Inspector reported that:

- Issued 3 new permits, 1 sign permit, issued 3 C/O, and 19 inspections
- Met with Ace Hardware about sidewalk permit to do BBQ demos with food
- Mayor Delaney wants to start to charge for outside eating permits since this is not COVID related anymore.
- Sign permit fee analysis will send via email to the Board.

Mayor Delaney made a **motion** to advertise for increase in sign permit fees and BZA fee. Trustee Carro seconded the **motion**. All are in favor, approved unanimously.

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

Mayor Delaney was not present to report

Trustee Damm made a **motion** to close the meeting at 8:33pm. Trustee Botto seconded the **motion** which was approved unanimously.

Respectfully Submitted,  
Christine Cozine  
Village Clerk

