

Village of The Branch – Board of Trustees Meeting
May 9, 2023
Track #68

The monthly meeting of the Village of The Branch was held at 40 Route 111, Smithtown, NY, seven thirty p.m. on May 9, 2023. Deputy Mayor Carro, Trustees Botto, Ryan, Attorney Ring, Treasurer Mequia, Building Inspector Arico and Village Clerk Cozine were present.

Deputy Mayor Carro called the meeting to order at 7:37 pm with the pledge of allegiance.

Trustee Botto made a **motion** to accept the April 2023 Board of Trustees minutes and Trustee Ryan seconded the **motion**. All are in favor, approved unanimously.

Trustee Botto made a **motion** to accept the May 2023 Board of Trustees work session minutes and Trustee Ryan seconded the **motion**. All are in favor, approved unanimously.

Treasurer's Report

Treasurer Mequia reported that:

- Last month of the Fiscal Year 2022-23.
- Have 2 estimates, Harris and Edmunds for the tax program. Prefer Harris since we currently are using them, and I am familiar with the program. It is also cheaper than Edmunds.
- Received check from a class action lawsuit for \$17,414.03.
- Also received \$62,700 reimbursement from the State for the Isais storm back in 2021.
- There are only 2 outstanding tax arrears from 2022-23 fiscal year.

Trustee Botto made a **motion** to table the 2 tax program bids for the next meeting and Trustee Ryan seconded the **motion**. All are in favor, approved unanimously.

Trustee Botto made a **motion** to accept the treasurer's report as submitted and direct treasurer to pay all the bills on Abstract #2196 totaling \$32,709.92. Trustee Ryan seconded the **motion** which was approved unanimously.

Trustee Botto made a **motion** to open the public hearing for Local Law #2 of 2023. Trustee Ryan seconded the **motion**. All are in favor, approved unanimously.

Deputy Mayor Carro read the proposed local law as follows:

Local Law No. 2 of the Year 2023

Village of The Branch, County of Suffolk

LOCAL LAW #2 TO REPEAL LOCAL LAW NUMBER # 1 OF 2023 -- 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 2023”. It is the intent of this Local Law to repeal Local Law Number 1 of 2023, 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 2023, 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.

There were no comments from the audience.

Trustee Botto made a **motion** to close the public hearing for Local Law #2 of 2023. Trustee Ryan seconded the **motion**. All are in favor, approved unanimously.

Trustee Botto made a **motion** to accept Local Law #2 of 2023. Trustee Ryan seconded the **motion**. All are in favor, approved unanimously.

Trustee Botto made a **motion** to advertise for a public hearing for Local Law #3 of 2023 to include fire hydrant language in proper section of the code. Trustee Ryan seconded the **motion**. All are in favor, approved unanimously.

Trustee Botto made a **motion** to accept resolution as published for downtown revitalization. Trustee Ryan seconded the **motion**. All are in favor, approved unanimously.

WHEREAS, the Village of the Branch is always desirous to improve the economy and quality of life within the Village of the Branch; and

WHEREAS, through the Suffolk County Downtown Revitalization Program, the County of Suffolk participates with local governments in the development, support and funding of projects located in Suffolk County that will have an important and sustainable impact on downtowns and business districts; and

WHEREAS, as part of the application process in conformity with Suffolk County Resolution No. 808-1998, the County of Suffolk requires a resolution of the Village Board showing local support for the proposed project; and

WHEREAS, upon the County’s approval of the project, the Village would be required to enter into an intermunicipal agreement with the County under Article 5-G of the General Municipal Law pursuant to which the Village of the Branch would be required to undertake and complete the project and the County would be responsible for providing financing for all or part of the cost of the project; and

WHEREAS, in order to provide County financing for all or part of the project, the County of Suffolk must obtain a leasehold, easement or other real property interest in the site of the project; and

WHEREAS, the Smithtown Chamber of Commerce is desirous of proposing that the Village of the Branch participate in such program in connection with Trailhead Improvement of Old Route 111 to create a walkable path and trailhead to the Long Island Greenbelt and the Village will be applying for \$60,000 under the program;

NOW THEREFORE, BE IT RESOLVED, that the Village Board of the Village of the Branch hereby states its support of the Trailhead Improvement project proposed by the Smithtown Chamber of Commerce pursuant to the Suffolk County Downtown Revitalization Program through the Village of the Branch; and be it further

RESOLVED that the Village Board of the Village of the Branch hereby finds that the project proposed is classified as a Type II Actions pursuant to SEQRA Rules and Regulations, and is not subject to further review under SEQRA; and be it further

RESOLVED, that the Village Board authorizes the Mayor to sign any and all necessary documents, including but not limited to the required easement/lease documents and an intermunicipal agreement, subject to review and approval of the Village Attorney, to participate in the above referenced program.

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

Frank Mannino – Asked the Board if he could do outdoor dining again with a perm It would seat 42 people and would have stone blocks instead of concrete blocks and would have PVC fencing on the perimeter it. The board said it would discuss with the Mayor and Building Inspector Arico who was not at the meeting yet. The permit will last from June – Nov 15.

Christian – Charge smart EV came to speak to the Board for preliminary approval before presenting to the Planning Board. The fee to charge would be \$.45-.50/ Kwhr It is a level 3 charging station which is the fastest kind. There would be no advertising on the machines. The process takes 12-15 months once approved. Deputy Mayor Carro told him he needed 5 sets of plans for both shopping centers, the type of units to be installed and pictures of the units along with a check for \$750 for the Planning Board.

Attorney Ring's Report

Attorney Ring reported that:

- Landscape renewal - sent out to J Fuentes, just need to follow up on it.
- Will be changing ode to accommodate fire hydrant wording.
- Justice Court recap – 3 no shows, 3 guilty, one reduced fine, 1 dismissal, 1 default guilty no show

Trustee Carro's Report

Trustee Carro was acting as Deputy Mayor at this meeting.

**** **Building Inspector arrived at 8:08pm**

Trustee Botto's Report

Trustee Botto reported that:

- Drains complete at Dogwood
- Getting ready to do Cambridge drains.
- Mulching is in progress at Old Route 111.
- Waiting on estimate for N Hemlock paving

Trustee Damm's Report

Trustee Damm was not present to report:

Trustee Ryan's Report

Trustee Ryan reported that:

- Need to connect with

Trustee Ryan made a **motion** to reopen the public meeting for Mr. Ewart at 9 Branch Dr. Trustee Botto seconded the **motion**. All are in favor, approved unanimously.

James Ewart III – 9 Branch Dr

Heather Sanderson- HLS Expediting, representing Mr. Ewart. Said the first set of plans were incomplete because they were under the gun because of the deadline. Looking to get a demo permit to clean out the house because they can't see what needs to be done because its so dark in there due to no electricity. Building Inspector Arico said they can take everything out of the house, but not allowed to touch the walls. He said the Village is not going to wait a month for you to remove stuff from your house. Heather said she would contact the contractor tonight to get the ball rolling and didn't anticipate it taking more than a week and then will get us the plans. According to Inspector Arico, he feels 2 weeks starting on Monday the 15th, which brings the date to May 29, but that's a holiday so 30th of May he should have plans handed in. Heather asked what else was needed and again Inspector Arico said, contract name, plumbing and electrical license.

Trustee Botto asked if he had a signed contract with a contractor? Heather answered yes. The name of the contractor is SGLI Contracting. Inspector Arico said he would issue the permit right away on Thursday 31st. Inspector Arico told Mr. Ewart he would be out there every week to check on the project and report back to the Board.

Mr. Ewart asked if this had ever happened in the history of the Village of The Branch, the Board answered no. Then Mr. Ewart proceeded to mention we should have a process and checklist for residents to follow if this should happen again.

Trustee Ryan questioned MR. Ewart as to why he is critiquing the Village, it doesn't make sense. He mentioned that it has been 6 plus years and 200 plus summonses issued on your behalf.

Trustee Botto made a **motion** to adjourn the public meeting for Mr. Ewart at 9 Branch Dr to June 13th, 2023. Trustee Ryan seconded the **motion**. All are in favor, approved unanimously.

Special Use Permit – SHS 40th bday party approved.

SHS Employee Appreciation – Competition Auto - approved

Building Inspector's Report

Building Inspector reported:

- Issued 4 permits, 1 C/O's, went on 16 inspections.
- Received \$7,580 income

- Busy with Fire Marshall with interior work at Damianos bldgs.
- Tree permit on North Country Rd
- Trustee Botto inquired about National Grid.

Trustee Botto made a **motion** to close the meeting at 8:31pm. Trustee Ryan seconded the **motion** which was approved unanimously.

Respectfully Submitted,
Christine Cozine
Village Clerk