

Village of The Branch – Board of Trustees Meeting
March 5, 2024
Track #83

The monthly meeting of the Village of The Branch was held at 40 Route 111, Smithtown, NY, seven thirty p.m. on March 5, 2024. Mayor Delaney, Trustees Carro, Botto, Damm, Ryan, Village Attorney Ring, Treasurer Mequia, Building Inspector Arico, 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 approve the February 2024 Board of Trustees minutes. Trustee Damm seconded the motion which was approved unanimously.

Treasurer's Report

Treasurer Mequia reported that:

- Preliminary budget numbers just handed out to the Board (with no tax increase). Mayor Delaney asked the Board to review and give feedback for their responsible budget lines.
- Budget needs to be passed by May 1st.
- Only 3 outstanding taxes.

Mayor Delaney made a **motion** to accept the treasurer's report as submitted and direct treasurer to pay all the bills on Abstract #2206 totaling \$25,378.76. Trustee Botto seconded the **motion** which was approved unanimously.

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

Deacon Jerry Reda – St. Patrick's Church in Smithtown coming in to follow up on last month's Board of Trustees meeting. It seems there was some confusion about the petition that was put forward by the Church and understands it might not be in the direction the Board put application in formally. The 4th precinct said they usually don't get request letters until 30-60 days in advance of the event and the church also has a bunch of retired officers willing to help. Deacon Reda said they have proper insurance for more than is requested and can change anything you like.

Mayor Delaney mentioned that the Village is very close to having all the information we need. We are not requesting architectural drawings, or a fee for the permit or listing of the street names. At this time Attorney Ring brought up that the Church will need to notify the owners of record or residents within a 200 ft radius of their property line with certified return receipt letter, according to Article 275-84 A3 of Municipal Law.

Deacon Reda asked if the 200 ft radius included or excluded the Historic District. He asked if he could speak with Attorney Ring about this and then the Building Inspector Arico told him he can go to the Smithtown Accessors office with the section block and lot, and they can provide him with the information. It needs to be at least 15 days before the BOT meeting in April. Deacon Reda said he will run the letter by the Village first.

Mayor Delaney made a **motion** to close the public comment portion of the meeting. Trustee Carro seconded the motion which was approved unanimously.

Mayor Delaney made a **motion** to open the public hearing for Mr. Ewart III. Trustee Botto seconded the motion which was approved unanimously.

Mr. James Ewart III – 9 Branch Dr - Stated he was happy to hear from Inspector Arico. The expeditor Heather filed for an extension in October. On Dec 22 National Grid turned on the gas, and the contractor was paid in full and dropped him like a hot potato. Mr. Ewart hasn't heard from him in awhile and he still has things to finish on his punch list. Inspector Arico said the final inspection is done and you do not need the things on your punch list to be completed to move forward. The CO is being held at this point and the POD needs to go. You said the POD would be gone at Christmas time and the neighbors were informed about it and it's still there. Trustee Ryan said you don't seem to have a course of action to address your course of action. You are going to start acquiring tickets for the POD. Inspector Arico advised him to get the other parties padlocks off your house and put your own locks on, so nobody has access to your house, remove the POD and meet with contractor regarding punch list.

Trustee Damm suggested removing stuff from POD and putting it in garage or inside the house so you can save money. Trustee Carro also brought up that he owes \$5,400 in back taxes and Mr. Ewart said he paid his taxes to Suffolk County Clerk and that it included the Villages portion in there. Treasurer Mequia said she would investigate that since we have not received any money from the County Clerk yet.

Mayor Delaney made a **motion** to adjourn the public hearing for Mr. Ewart III until the April meeting. Trustee Botto seconded the motion which was approved unanimously.

Mayor Delaney made a **motion** to open the public hearing for Local Law#1 of 2024. Trustee Botto seconded the motion which was approved unanimously.

Local Law No. 1 of the year 2024

Village of The Branch, County of Suffolk

A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of The Branch to adopt a budget for the fiscal year commencing June 1st, 2024, that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override

The City Council/Board of Trustees of the Village of The Branch, County of Suffolk, is hereby authorized to adopt a budget for the fiscal year commencing June 1st, 2024, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date

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

Mayor Delaney made a **motion** to approve Local Law#1 of 2024. Trustee Carro seconded the motion which was approved unanimously.

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

Attorney Ring's Report

Attorney Ring reported that:

- Foil Requests.
- Discussed Village Code regarding St. Patrick's special use permit.
- The Village was served papers for a satisfaction of judgment filed for a parking summons that went to bankruptcy, got Boards opinion to file 1 page notice of appearance and notify for surplus money of preceding.

Building Inspector Arico's Report

Building Inspector reported that:

- Took in approximately \$10,000 in income.
- Went on 22 inspections.
- Met with Uncle Guiseppe's structural guys to check the loading dock to make sure repaired correctly.
- Spoke to Mykonos about the truck being parked in the parking lot and not moving.

Trustee Carro's Report

Trustee Carro reported that:

- Justice Court – 18 cases, 8 first time no shows, 1 rescheduled, 1 trial and 8 dismissed.
- Stop sign on Walsh Way facing the wrong direction.

Trustee Botto's Report

Trustee Botto reported that:

- Snow Plowing went well, had reports they were a little aggressive, 1 mailbox was taken down and they will fix it.
- One resident's driveway that was damaged by snow contractor will be fixed later this Spring when the weather is nicer.
- Sanding was done properly.

- Starting at the end drain on Cresthill. Would like to take down a tree that is in the way of the drain. The Town of Smithtown will do that since we have an IMA with them.
- Take trees down Woodhollow, between Branch and Village Way.
- Apologized for leaving the meeting early last month.

Trustee Damm's Report

Trustee Damm reported that:

- Talked to J Fuentes to check drains.
- Called fence guy with the sump about the tree that fell.
- Need to create voucher for the bridge invoice on Old Rte 111.

Trustee Ryan's Report

Trustee Ryan had nothing to report:

Mayor Delaney Report

Mayor Delaney reported that:

- Spring of 2025 an electronic weir will be added into Millers Pond to replace the manual board approach that is in use now.
- MS4 process had changed from one time paper report, to twice a year online report.
- Spoke to Tom Lohman about doing Spring Cleanup in our stream soon.
- Leaf and Brush dates are as follows:
 - Week of April 22
 - Week of May 13
 - Week of June 24

Mayor Delaney made a **motion** to approve 2 Election Inspectors, Eileen Biesel and Elanore Rowe. Trustee Carro seconded the motion which was approved unanimously.

Special Use Permit – SHS- Blue Gold Cub Scout Dinner 04/14/2024– Approved.
 SHS – Employee Appreciation Day -09/08/2024 – Approved.
 SHS – Anniversary Party – 05/11/2024 – Approved.
 SHS – Craft Fair – 10/05/2024- Approved.
 SHS – Craft Fair 04/27/2024 – Approved.
 SHS – Birthday Party – 05/04/2024 – Approved.
 SHS – Spring Farm Festival – 04/20/24 – Approved.

Trustee Botto made a **motion** to close the meeting at 8:54pm. Mayor Delaney seconded the **motion** which was approved unanimously.

Respectfully Submitted,

Christine Cozine
 Village Clerk